

Department of State

**2003 REPORT ON
POLLING PLACE ACCESSIBILITY
PURSUANT TO
SECTION 17, CHAPTER 2002-281, LAWS OF FLORIDA**

January 30, 2004



EXECUTIVE SUMMARY

As a result of Chapter 2002-281, Laws of Florida, the supervisors of elections of the State of Florida were required to survey their polling places to determine whether the polling places are accessible to persons with disabilities. Unless a variance is granted as permitted by law, polling places must be accessible beginning July 1, 2004. Any variances granted are good only until 2006. All polling places in the state must be accessible beginning with the 2006 elections.

Statewide results indicate that 53.5% of the polling places statewide meet accessibility standards, leaving 46% of the polling places which must either be retrofitted to meet accessibility standards or must be moved prior to the 2006 elections.

Bringing the polling places into compliance comes with a cost. Now that the accessibility problems have been identified, counties must have funding to complete the process. Estimates on bringing 72% of the inaccessible polling places into compliance exceed \$6.6 million. Without the proper funding, counties will be forced to merge polling places, likely causing voters to travel longer distances to reach their polling places on election day.

OVERVIEW

In January 2002, the Secretary's Select Task Force on Voting Accessibility issued its final report to the Secretary of State. The Task Force determined that "Florida voters with disabilities face numerous obstacles, many of which can be overcome with the statutory adoption, implementation and enforcement of 'accessibility' standards, and with the enactment of various other statutory changes..." As a result of the Task Force Report, the 2002 Legislature passed Committee Substitute for Senate Bill 1350 (Chapter 2002-281, Laws of Florida), also known as the Voting Accessibility Bill, to address many of the concerns of the disability community.

One of the provisions of this law amended section 101.715, Florida Statutes, to include stricter requirements for polling place accessibility in the State of Florida. Those accessibility requirements will become effective on July 1, 2004. The new standards for accessibility require that the supervisors of elections selecting a polling place ensure accessibility with respect to the following accessible elements, spaces, scope, and technical requirements:

Accessible route, space allowance and reach ranges, protruding objects, ground and floor surfaces, parking and passenger loading zones, curb ramps, ramps, stairs, elevators, platform lifts, doors, entrances, path of egress, controls and operating mechanisms, signage, and other minimum requirements.

The law further requires that a polling place be accessible regardless of the age or function of the building or where it is located. Therefore, the law does not allow the traditional exceptions included in the Federal Americans with Disabilities Act for historical buildings or houses of worship. All polling places in use in the state of Florida after July 1, 2004, are to comply with the Florida Americans with Disabilities Accessibility Implementation Act¹ for all portions of the polling place or the structure in which it is located that is traversed by voters going to and from the polling place and during the voting process.²

In order to examine the current status of polling place accessibility statewide, and to determine how much work needs to be done to achieve full compliance with the amended accessibility standards, section 17 of the Voting Accessibility Bill required that the Department of State develop a survey to be used by the county supervisors of elections to determine accessibility of the polling places in use in their counties. Pursuant to the rulemaking authority granted by sections 16 and 17 of the Voting Accessibility Bill, the Department of State, Division of Elections, promulgated Rule 1S-2.035, Florida Administrative Code, which incorporates by reference Form DS-DE 43 entitled "ADA Polling Place Survey Checklist." See **Attachment 1**. The county supervisors of

¹ The Florida Americans with Disabilities Accessibility Implementation Act is codified as sections 553.501 thru 553.513 of the Florida Statutes.

² The law allows counties who have polling places that cannot be brought into compliance by July 1, 2004, to be granted a variance for those polling places until the primary election in 2006.

elections were required by the Legislature to use this form to survey each polling place in their county by September 1, 2003. Such survey results were to be reported to the Department of State, Division of Elections so that the Division could present them to the Governor, the President of the Senate and the Speaker of the House by December 1, 2003³. The Division of Elections created a form entitled “2003 Report on Countywide Polling Place Determination of Accessibility” to be used by the county supervisors of elections when reporting polling place accessibility results. See **Attachment 2**.

³ The Division of Elections was unable to issue this report to the Governor, the President of the Senate and the Speaker of the House by the statutorily imposed deadline due to complications during surveying at the county level, and due to delays in obtaining survey results from some of the state’s counties.

THE ADA POLLING PLACE SURVEY CHECKLIST

Form DS-DE 43, entitled “ADA Polling Place Survey Checklist” was developed by the Division of Elections as a tool to aid county supervisors of elections in determining if particular polling places are accessible and usable by people with disabilities as required by amended section 101.715 of the Florida Statutes. The thirty-one page form was designed to “walk” the person conducting the survey through the polling facility in such a way that all portions of the polling place or the portions of the structure in which it is located, that are traversed by voters going to and from the polling place and during the voting process were indeed surveyed for accessibility. Because Florida law allows the housing of multiple precincts in a single polling place,⁴ Form DS-DE 43 instructed supervisors of elections that “if a polling place contains more than one polling room, a separate survey must be completed for each polling room.”

The survey is divided into the three main areas to be surveyed for determination of accessibility: (1) the area used to approach the polling place; (2) the entrance to and maneuverability within the polling place and polling room, if separate; and (3) the entrance to and maneuverability within the voting booth. The identified three main areas are the primary function areas for the process of arriving at the polling place, entering the polling room and exercising the citizen’s right to vote. As stated in the instructions provided within Form DS-DE 43, other areas that are not part of the electoral process were not required to be surveyed for accessibility even if they were located in the general vicinity of the polling place.

The first main area surveyed, the area used to approach the polling place, examined the accessibility of parking and drop-off areas and the route of travel from the parking and drop-off areas to the polling place entrance. The route of travel review examined accessible elements such as curb ramps, ramps and ramp railings, protruding objects mounted on walls or placed on the ground, the types of surfaces on which the voter is traveling (i.e. gravel, concrete, sand, tar, etc.), entrance door width and the force needed to open the doors, and door thresholds.

The second main area surveyed, the entrance to and maneuverability within the polling place and polling room, was examined for accessibility of elements such as door handles, the force necessary to open exterior and interior doors and the speed with which they close, whether once inside the polling place there was a sufficiently wide accessible route to all polling areas, including sufficient turning space for wheelchairs and other assisting equipment, and whether there were interior threshold or beveled levels.

The final polling place area surveyed, voting booth entrance and maneuverability, was examined to verify accessibility of the aisles and pathways to the voting booths, the height and width of the voting surfaces, availability of appropriate directional signs for the disabled, whether all obstacles in the access routes were cane-detectable, and whether any existing split or upper levels were in fact accessible to disabled voters.

⁴ Section 101.71, Florida Statutes.

For each required accessibility standard set forth, the survey checklist also provided a list of potential temporary and long-term solutions that could be implemented to correct the particular accessibility problem encountered. The use of a listed either temporary or permanent solution on Election Day would render the particular accessibility problem identified as having been resolved and therefore accessible.

On page 31 of Form DS-DE 43, the supervisors of elections were provided a Summary of Determination of Accessibility document whereby they could review the results of the survey checklist and categorize the particular polling place or polling room as (1) inaccessible, (2) accessible but inconvenient, or (3) fully accessible. After receiving many inquiries from the supervisors of elections as to exactly what constituted an “accessible but inconvenient” and an “inaccessible” polling place, the Division of Elections issued e-mail correspondence including examples of accessibility problems encountered by some of the supervisors when surveying their polling places and assigning them to the appropriate category. See **Attachment 3**. The Division of Elections worked hand in hand with the Governor’s ADA Work Group to address any inquiries that arose while the supervisors of elections were conducting the survey process, and ultimately many of those discussions were included in the guidelines disseminated via the e-mail correspondence attached.

Notwithstanding the Division’s efforts to clarify the use of the categories included in Form DS-DE 43, many supervisors of elections understandably continued to struggle with the use of the “accessible but inconvenient” category. In an effort to simplify the process of evaluating polling place accessibility, and given that the use of either the “fully accessible” or the “accessible but inconvenient” categories would ultimately result in a polling place that is accessible to disabled voters, the Division advised supervisors of elections that they could choose to not utilize the “accessible but inconvenient” category.

THE 2003 REPORT ON COUNTYWIDE POLLING PLACE DETERMINATION OF ACCESSIBILITY FORM

In order to comply with the Voting Accessibility Bill's requirement that the county supervisors of elections report the results of the polling place surveys to the Division, a form entitled "2003 Report on Countywide Polling Place Determination of Accessibility" was created and distributed to the supervisors. The form was designed to obtain summarized information regarding the survey results from each of the state's 67 counties.

It is important to note that the clarifying guidelines to the three categories issued by the Division reached some county supervisors of elections after they had completed the surveying process using Form DS-DE 43. This ultimately resulted in many counties having to review the completed DS-DE 43 forms in order to re-classify the polling places among the three categories in accordance with the guidelines. This re-classifying process took place either prior to reporting the survey results to the Division, or as occurred most often, by submitting revised reports to the Division.

The reporting form includes a page whereby the supervisors could certify that specific inaccessible polling places could not be brought into compliance with the accessibility standards of Chapter 2002-281, Laws of Florida, by July 1, 2004, and therefore request that the Division grant them a variance as permitted by the same law. The county supervisors of elections had to submit an individual variance request for each of the inaccessible polling places that could not be brought into compliance with the updated accessibility standards by July 1, 2004.

STATEWIDE RESULTS

As previously stated, the Division has endeavored to make the results reported herein comparable from county to county. Nonetheless, there may be some minor discrepancies in the definition of, and therefore in the application and use of, the “accessible”, “accessible but inconvenient” and “inaccessible” categories from county to county.

The numerical results received from the counties for each of the three categories are attached herein. See **Attachment 4**. Based on the numbers reported to the Division, there are a total of 5,834 polling places in the State of Florida.⁵ Statewide a total of 2,939 polling places were fully accessible to disabled voters, a total of 183 were reported as accessible but inconvenient, and total of 2,686 polling places were considered inaccessible to disabled voters. The Division requested that the supervisors of elections identify how many of those polling places deemed inaccessible to disabled voters were tax-supported facilities. A total of 745 inaccessible polling places received either partial or full funding from governmental resources.

Some of the facilities reported as inaccessible will undergo repairs and renovations to correct the accessibility problems prior to July 1, 2004; others will continue to be used as polling places beyond that date due to having received a variance from the Division as permitted by section 17 of the Voting Accessibility Bill. Such variances will only be valid until the 2006 Primary Election. All polling places utilized from the 2006 Primary Election forward will have to fully comply with the accessibility standards of the Voting Accessibility Bill in order to be legally used.

Most of the problems encountered in the “accessible but inconvenient” category were things such as paved parking areas that were not adjacent to the polling room, thereby causing a disabled voter to travel a greater distance to get to the polling room. But because the path of travel was accessible, the polling place was deemed accessible. Other counties listed parking spaces as not being adequate size or not having an aisle adjacent to it. These types of problems are being addressed by supervisors of elections by using temporary cones to mark spaces for the disabled.

Most of the problems causing polling places to be deemed “inaccessible” had to do with parking surface problems, door width issues, door thresholds and ramp or ramp railing issues. Unpaved parking lots were a predominant problem in many counties. For example, both Orange County and Charlotte County reported that all of their inaccessible polling places had parking deficiencies. All had either grass or gravel parking. In order for these polling places to be deemed compliant, counties must provide paved parking for disabled voters or provide some other alternative hard surface parking.

The main obstacle for resolving inaccessibility problems by July 1, 2004 was funding and time to make the changes. Although many counties were able to correct accessibility

⁵ Although the survey form requested information on the number of polling places, some supervisors of elections reported on the number of precincts. Since voters from several precincts may vote in one polling place, there may be some discrepancy in the numbers.

issues by or before the deadline and thus did not need to request variances, many others were unable to do so due to monetary problems. Most of the counties had not budgeted for such repairs during this fiscal year.

For some counties, even though they plan on completing necessary corrections prior to the July 1, 2004 deadline, they have requested variances just in case they are unable to complete the repairs in time. In addition, some counties requested variances but are hoping to find different accessible sites for their polling places prior to July 2004. Therefore, the numbers of inaccessible polling places for 2004 as listed in this report based on variances requested could be considered an intentionally inflated number. For example, Okaloosa County reported 52 total polling places, of which 43 are inaccessible and variances will be granted. However, the Supervisor of Elections of Okaloosa County has indicated that she is planning on bringing all polling places into compliance by July 1, 2004, for a cost of \$14,658.

As stated, several counties were able to correct problems prior to the deadline for submitting requests for a waiver. For example, the Lake County Supervisor of Elections reported that all 91 of her polling places are compliant. She further reported that Lake County recently spent \$100,856 for the necessary repairs to the polling places in that county.

Counties were asked to provide an estimate on the cost of bringing the polling places into compliance by the 2006 Primary Election. The total estimated cost provided by the supervisors is \$6,608,091. However, it should be noted that while some counties provided very specific estimates, not every county provided an estimate and some counties gave a “best guess” without a clear basis for the numbers. No costs were provided for 687 of the polling places reported as inaccessible.

As provided by the Voting Accessibility Bill, all polling places must meet the accessibility standards no later than the 2006 Primary Election. The only options for the counties that have polling places that are noncompliant are to find a new location that meets the standards or to provide either permanent or temporary fixes to the existing polling places. For many counties, however, there may be only one option, which is to provide a fix to an existing location. Many rural counties do not have multiple locations in the county to choose from, and even if they do, the locations are likely to be outside the precinct boundaries. Okeechobee County reported an inaccessible polling place at a church in a remote, rural area of the county. The Supervisor of Elections indicated that she has repeatedly tried to find another facility in that precinct, without success.

Section 101.71(2), F.S., requires the supervisor of elections to provide a polling place within the precinct, but allows the supervisor to have a polling place in an contiguous precinct if there is no suitable location in the precinct. However, moving the polling place to another precinct or combining several precincts into “super precincts” will undoubtedly cause voters to be inconvenienced as they will likely have to travel farther distances in order to vote. The inconvenience to the voters must be weighed against the costs necessary to bring a polling place within the precinct into compliance.

Because many of the polling places used statewide are privately-owned facilities, the next question that must be addressed is whether or not public funds should be used to bring these private facilities into compliance. Some supervisors of elections reported that some of the privately-owned facilities are making the necessary changes at their own expense. Others report that some owners of privately-owned facilities oppose any construction or improvements to their property, regardless of who pays the costs. Therefore, even if public dollars are allowed to be spent retrofitting private facilities, there is no guarantee that the owner of the private facility will permit changes to the structure. Even if retrofitted, there is no guarantee that the owner of the private facility will continue to allow the facility to be used as a polling place in future elections for years to come. One option might be to allow public funds for permanent improvements to be made only on buildings or property that are publicly owned. Privately-owned facilities could be brought into compliance on election day by implementing the use of temporary solutions such as portable ramps, portable mats for parking lots and using personnel to open doors.

FUNDING

The issue of funding is an important one. As previously stated, it is estimated that it will cost the state of Florida at least \$6.6 million to bring all polling places into compliance. Without the proper funding, many counties will not be able to meet the requirements by 2006.

The Help America Vote Act (HAVA), passed by Congress and signed into law by the President in October 2002, provides funds to states for a variety of election-related activities, including making polling places accessible. Section 101 HAVA funds are allowed to be used for, among other things, “improving the accessibility and quantity of polling places, including providing physical access for individuals with disabilities...”

In addition, grant money was provided in section 261 of HAVA to the Department of Health and Human Services for distribution to the states and local governments for the specific purpose of accessibility. This section provides for the use of these funds as follows:

- (1) making polling places, including the path of travel, entrances, exits and voting areas of each polling facility, accessible to individuals with disabilities, including the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters; and
- (2) providing individuals with disabilities and the other individuals described in paragraph (1) with information about the accessibility of polling places, including outreach programs to inform the individuals about the availability of accessible polling places and training election officials, poll workers, and election volunteers on how best to promote the access and participation of individuals with disabilities in elections for Federal office.

The Division of Elections applied for this grant and was awarded \$687,728. The state will be able to draw from these funds once a decision is made by the Legislature on the method of distribution of the funds. The Division is working on a recommendation to the Legislature on how these funds should be distributed to the counties.

CONCLUSIONS AND RECOMMENDATIONS

Because of the actions of the 2002 Legislature, Florida is on its way to providing the same access to voters with disabilities as is afforded other voters in the state. Florida has made progress with regard to its polling places merely by examining where we are in terms of accessibility under the strict standards of the Voting Accessibility Bill and the Florida Building Code.

Now that the accessibility problems have been identified, it will be easier for supervisors to coordinate with county government to address and correct problem areas. Because polling places are often tax-supported buildings used by government for other purposes on a regular basis, once problems are corrected it will benefit disabled Floridians on more than election day.

Counties need funding to make the promise of accessible polling places a reality. Without such funding, and even with it, many counties will be forced to merge polling places due to lack of available fully accessible polling places in particular precinct areas.

**Department State
Division of Elections**

ADA POLLING PLACE SURVEY CHECKLIST

Precinct #: _____
County: _____
Polling Place name: _____
Polling Place Address: _____
Polling Place Telephone Number, if available: _____
Date Checklist was completed: _____
Checklist completed by: _____

PURPOSE OF SURVEY:

This survey is a tool to aid county supervisors of elections in determining if particular polling places are accessible and usable by people with disabilities as required by section 101.715 of the Florida Statutes. Supervisors of elections need to survey all portions of the polling place or the portions of the structure in which it is located, that voters traverse going to and from the polling place and during the voting process.

The survey is divided into the three main areas to be surveyed for determination of accessibility: (1) the area used to approach to the polling place, (2) the entrance to and maneuverability within the polling place and polling room, if separate, and (3) the entrance to and maneuverability within the voting booth. These three areas constitute the primary function areas for the process of arriving at the polling place, entering the polling room and exercising the citizen's right to vote. Other areas that are not part of the electoral process as defined above are not required to be surveyed for accessibility, even if located in the general vicinity of the polling place.

The survey also includes a list of possible temporary and long-term solutions to each accessibility problem that may be encountered at the polling places. The use of either the temporary or the long-term solutions should bring the polling place into compliance for the particular aspect or problem that the solutions address. A solution is considered temporary if it is enacted or placed by the county supervisor of elections for the purpose of election day, and is removed thereafter.

MATERIALS NEEDED:

In order to complete this survey, it is recommended that the surveyor bring the following materials to the polling place:

1. Pens and pencils
2. Graph paper
3. Tape measure
4. Camera and film
5. Fish scale (to measure force necessary to open doors)
6. Calculator that changes inches into feet and vice versa (optional)
7. A square to measure/test right angles (optional)
8. A time measuring device capable of measuring seconds (stopwatch or watch with second hand)

HOW TO USE THE CHECKLIST:

1. Establish a time frame for completing the surveying process in the county.
2. Duplicate the checklist. The supervisor of elections shall determine the appropriate number of surveys to ensure one copy per polling room.
3. The person(s) conducting the survey for each polling place will need to briefly review the polling place to determine which areas of the polling place location constitute the primary function areas of the polling place.
4. Use graph paper to sketch the layout of all interior and exterior spaces leading to and used in the elections process. Make notes on the sketch while you are surveying.
5. Take pictures of the primary function areas of the polling place.
6. Think about each space from the perspective of people with physical, hearing, visual, and cognitive disabilities, noting areas that need improvement.
7. Please note that all diagram measurements included in the survey are given in inches and feet as appropriate.
8. Please note that if a polling place contains more than one polling room, a separate survey must be completed for each polling room.

POLLING PLACE APPROACH

People with disabilities should be able to approach and enter the polling place as freely as everyone else. A least one route of travel should be accessible for everyone, including people with disabilities.

Parking and Drop-Off Areas

The Americans with Disabilities Act and Florida Statutes require that if parking is provided for non-disabled people, at least one accessible parking space be provided for every 25 regular parking spaces. In polling places located in only part of a larger building or cluster of buildings with extensive parking lots, the supervisor of elections should consider the accessibility of those parking areas that will most likely be used during election day. For example, surveyed parking for a polling place located within a shopping mall should only include the lot(s) closest to the mall entrance near the polling room location. Please note that if the polling place does not have a parking lot, the aforementioned 1:25 ratio for parking spaces is not required. For example, if only street parking is available, the supervisor of elections is not required to survey the street area and the 1:25 ratio discussed above does not apply.

The following is a table with the required ratio of regular parking spaces to accessible parking spaces, when applicable.

<i>Total Regular Parking Spaces Per Lot</i>	<i>Required Accessible Parking Spaces Per Lot</i>
1 to 25	1 space
26 to 50	2 spaces
51 to 75	3 spaces
76 to 100	4 spaces
101 to 150	5 spaces
151 to 200	6 spaces
201 to 300	7 spaces
301 to 400	8 spaces
401 to 500	9 spaces
501 to 1000	2 % of total
1001 & over	20 plus 1 for each 100 over 1000

1. Are there an adequate number of accessible parking spaces available? Please note that the spaces are per lot.

Yes [] No []

Number of accessible spaces required _____

Number of accessible spaces available _____

2. Do the accessible spaces measure 12 feet wide, with a 5-foot aisle and 98 inches of vertical clearance? (measurements are from centerline of stripe to centerline of stripe)

Yes [] No []

Figure 1, page 5

Possible Temporary Solutions

[] Put up temporary signs and traffic cones to reconfigure/offset and designate spaces as accessible

Possible Long-term Solutions

[] Reconfigure a reasonable number of spaces by repainting stripes.

3. Are the access aisles part of the accessible route to the accessible entrance? Yes[] No[]
Figure 1, page 5
Possible Temporary Solutions
[] Use of temporary signs and traffic cones to create wider parking spaces
Possible Long-term Solutions
[] Reconfigure the parking space to include access aisle
4. Are the accessible spaces closest to the polling area? Yes[] No[]
If not, are there appropriate signs directing voters to the accessible entrance? Yes[] No[]
Possible Solutions
[] Reconfigure spaces closer to a main accessible entrance
[] Provide appropriate signage directing voters to accessible entrance.
5. Are accessible spaces marked with the International Symbol of Accessibility? Yes[] No[]
Figure 2, page 6
Possible Temporary Solutions
[] Add temporary signs, placed so that they are not obstructed by cars.
Possible Long-term Solutions
[] Add permanent signs, placed so that they are not obstructed by cars.

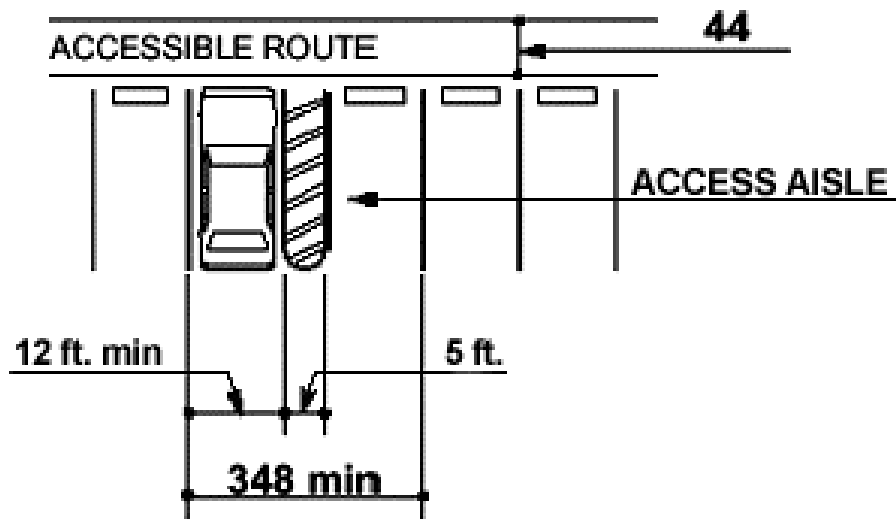
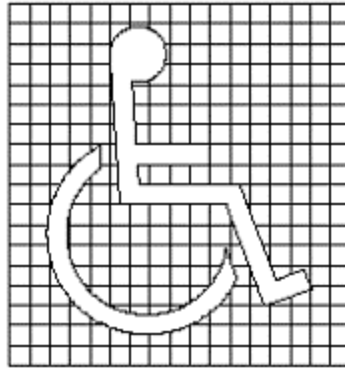


Fig 1
Standard Parking Space Design

Standard Parking Space Design: The access aisle shall be a minimum of 60 inches (5 feet) wide. The accessible route connected to the access aisle shall be a minimum of 44 inches (3.66 feet) wide. If two parking spaces will share one access aisle, the total width for both parking spaces including the access aisle must be at least 348 inches (29 feet).



(a)
Proportions
International Symbol
of Accessibility



(b)
Display Conditions
International Symbol
of Accessibility

Fig 2
International Symbols

(a) Proportions, International Symbol of Accessibility. The diagram illustrates the International Symbol of Accessibility on a grid background.

(b) Display Conditions, International Symbol of Accessibility. The symbol contrast shall be light on dark or dark on light.

POLLING PLACE APPROACH, Continued

Route of Travel

1. Is there a route of travel that does not require the use of stairs? Yes[] No[]

Possible Temporary Solutions

- [] Add a wooden or portable steel ramp if the route of travel is interrupted by stairs.
[] Add an alternative route on level ground.

Possible Long-term Solutions

- [] Add a permanent ramp if the route of travel is interrupted by stairs.
[] Add lifts to elevate mobility disabled voters to the upper levels.

2. Is the route stable, firm and slip-resistant? Yes[] No[]

Possible Temporary Solutions

- [] Replace gravel with wood panels or other hard non-slip surface/top
[] If the problem is not pervasive, fill small bumps and breaks with beveled patches

Possible Long-term Solutions

- [] Repair uneven surface
[] Fill bumps and breaks with beveled patches

3. Is the entrance route at least 36 inches wide, or if the route is an emergency escape route, is it 44 inches wide? (Section 553.504(5)(b), F.S., requires that curb ramps leading up to the polling place entrance from the parking lot be at least 44 inches wide if they will be used as an emergency escape route. This 44-inch standard does not apply to doors or to the interior of buildings used as polling places). Yes[] No[] Width_____

Possible Temporary Solutions

- [] Change or move landscaping, furnishings, or other movable features that narrow the route of travel.

Possible Long-term Solutions

- [] Widen the route of travel.

4. Can a person with a visual disability using a cane detect all objects protruding into the route?

Yes[] No[] Distance from wall_____ Height_____

(In order to be detected using a cane, an object, e.g. fire extinguishers, water fountains, etc. must be within 27 inches off the ground. Objects hanging or mounted overhead must be higher than 80 inches to provide clear headroom. It is not necessary to remove objects that protrude less than 4 inches from the wall.)

Possible Temporary Solutions

- [] Move or remove movable protruding objects.
[] Add a wooden cane-detectable base around the object, that extends to the ground.
[] Place a cane-detectable object, such as a planter, on the ground as a warning barrier
[] Provide another means of temporary access that is in compliance.

Possible Long-term Solutions

- [] Permanently remove obstacles.
[] Add a permanent cane-detectable base that extends to the ground.
[] Permanently install furnishings or other cane-detectable barriers underneath.

5. Do curbs on the route have curb cuts at drives, parking, and drop-offs? Yes[] No[]

Figure 3, page 10

Possible Temporary Solutions

- [] Add a wooden ramp to curb
[] Purchase or rent and install temporary "suitcase" ramps

Possible Long-term Solutions

- [] Install curb cut.
[] Add a permanent small ramp to curb.

POLLING PLACE APPROACH, Continued

Ramps

1. Are the slopes of ramps no greater than 1:12? Yes[] No[] Slope_____ (Slope is given as a ratio of the height to length. 1:12 means for every 12 inches along the base of the ramp, the height increases 1 inch. In other words, for every inch the ramp goes up, 12 inches out are needed.)

Figures 4 and 5, pages 10 and 11

Possible Solutions

- [] Temporarily lengthen ramp to decrease slope.
[] Set up a temporary ramp at a different location of the accessible path.

Possible Long-term Solutions

- [] If available space is limited, reconfigure ramp to include switchbacks.
[] Permanently lengthen ramp to decrease slope.
[] Relocate ramp.

2. Do all ramps longer than 6 feet, or with a rise greater than 6 inches, have railings on both sides? Yes[] No[]

Possible Temporary Solutions

- [] Add temporary railings

Possible Long-term Solutions

- [] Install permanent railings

3. Are railings sturdy (i.e. rigid), and are the tops of the railings between 34 and 38 inches high? Yes[] No[] Height_____

Figure 6, page 12.

Possible Temporary Solutions

- [] Adjust height of railings.
[] Add railings at the legally required height
[] Secure handrails in fixtures.

Possible Long-term Solutions

- [] Permanently adjust height of railings
[] Add proper fixtures and secure handrails

4. Is there an 18-inch extension of the handrail at the top and bottom of the ramp? Yes[] No[] *Figure 6, page 12.*

Possible Solutions

- [] Add handrail extension.

5. Is the width between railings or curbs at least 36 inches, or 44 inches if it is an emergency exit route? Yes[] No[] Width_____

Figure 6, page 12.

Possible Temporary Solutions

- [] Relocate the railings

Possible Long-term Solutions

- [] Widen the ramp.

6. Are the ramps non-slip? Yes[] No[]

Possible Solutions

- [] Add non-slip surface material.

7. Is there a 5-foot long level landing at every 30-foot horizontal length of ramp, with the bottom of the ramp having not less than 72 inches of straight and level clearance?

Yes No Length _____

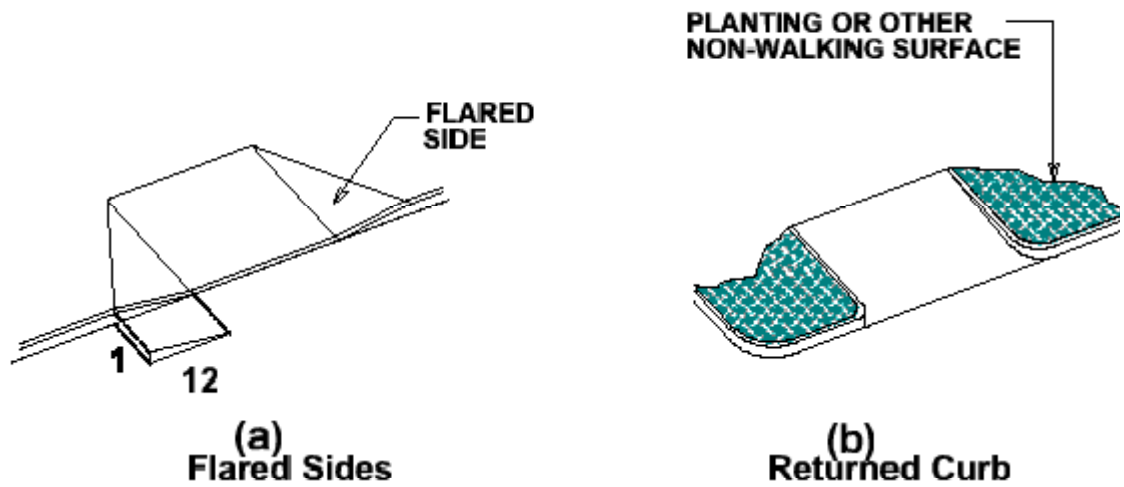
(The ramp should have a run of no more than 30 feet between landings)

Possible Temporary Solutions

Use a portable ramp

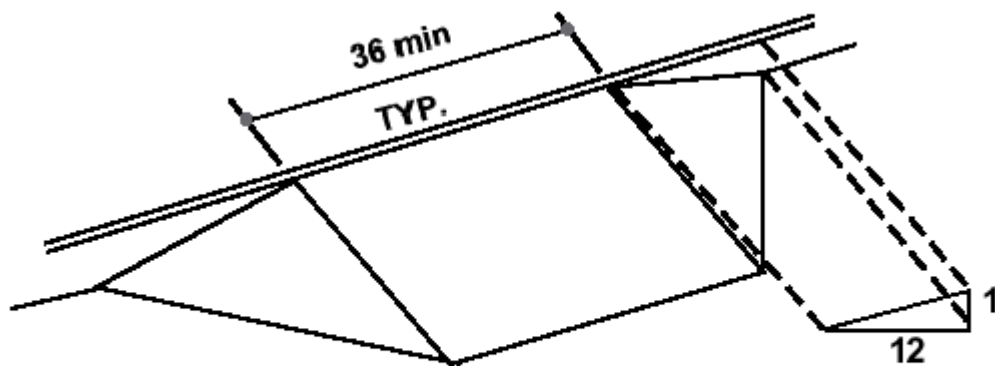
Possible Long-term Solutions

Remodel or relocate ramp



**Fig 3
Sides of Curb**

3(a) Flared Sides. If the landing depth at the top of the curb ramp is less than 48 inches, then the slope of the flared side shall not be steeper than 1:12.



**Fig 4
Built-Up Ramp**

ADJOINING SLOPE
SHALL NOT
EXCEED 1:20

SLOPE = Y : X
WHERE X IS A
LEVEL PLANE

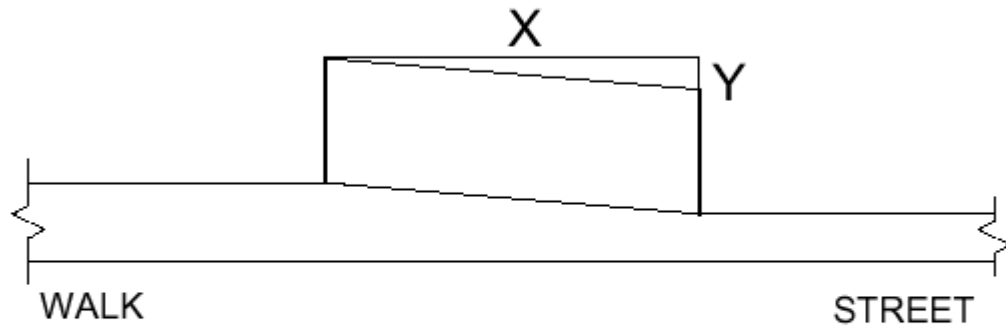


Fig 5
Measurement of Curb Ramp Slopes

The ramp slope is a ratio expressed as the vertical rise divided by the horizontal run. The adjoining slope at walk or street shall not exceed 1:20.

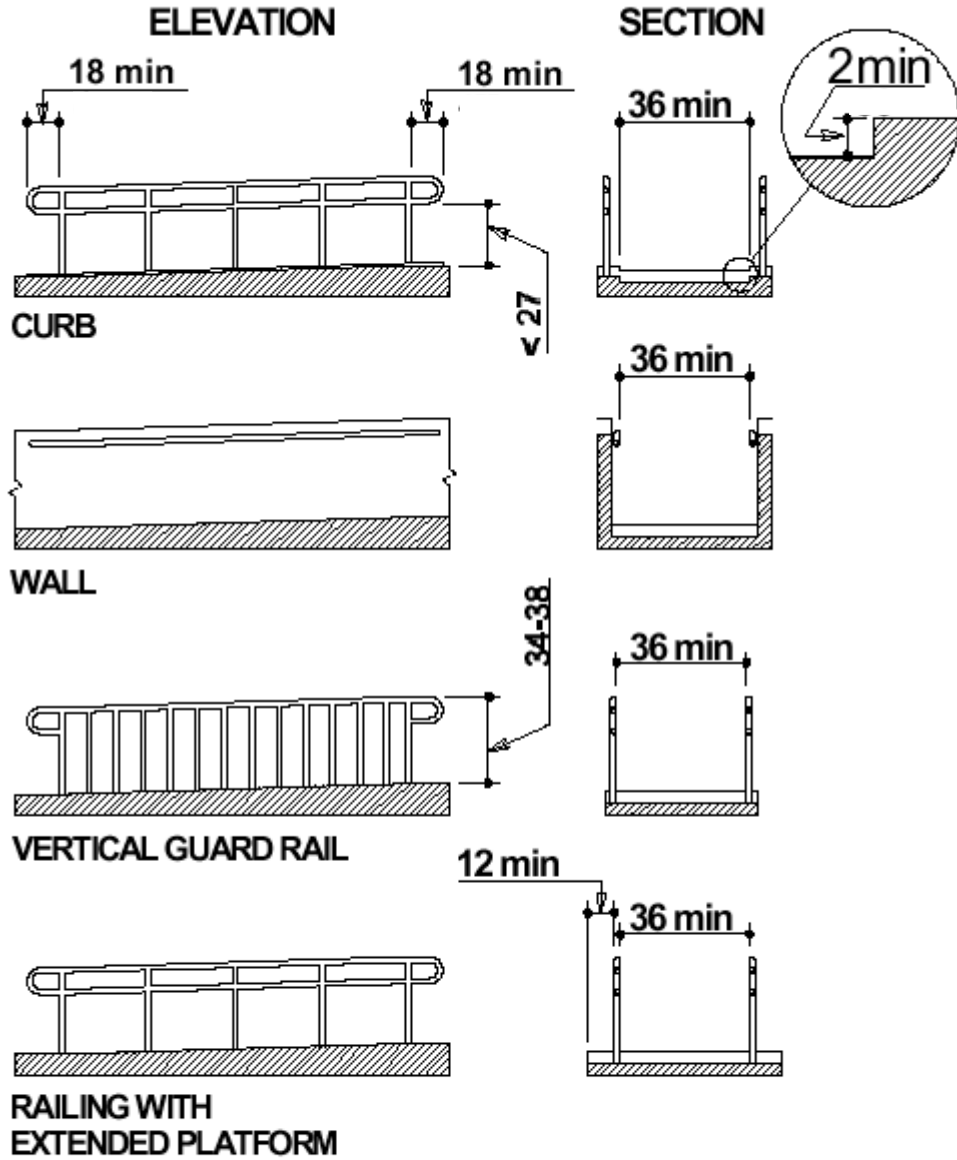


Fig 6
Examples of Edge Protection and Handrail Extensions

POLLING PLACE APPROACH, Continued

Entrance

1. If there are stairs at the main entrance, is there also a ramp or lift, or is there an alternative accessible entrance? Yes[] No[]
(Do not use a service entrance as the accessible entrance unless there is no other option.)
Possible Solutions
[] If it is not possible to make the main entrance accessible, create a dignified alternate accessible entrance. If parking is provided, make sure there is accessible parking near all accessible entrances.
2. Do all inaccessible public entrances have signs indicating the location of the nearest accessible entrance? Yes[] No[]
Possible Temporary Solutions
[] Install temporary signs at and before inaccessible entrances directing disabled persons to accessible entrances so that people do not have to retrace the approach.
Possible Long-term Solutions
[] Install permanent signs at and before inaccessible entrances directing disabled persons to accessible entrances
3. Can the alternate accessible entrance be used independently? Yes[] No[]
Possible Temporary Solutions
[] Have a person posted at or near the accessible entrance so they may assist disabled persons. It is acceptable to assign this duty to the precinct deputy
Possible Long-term Solutions
[] Eliminate as much as possible the need for assistance--- to answer a doorbell, to operate a lift, or to put down a temporary ramp, for example.
4. Does the entrance door have at least 32 inches clear opening (for a double door, at least one 32 inch leaf)? Yes[] No[] Clear opening _____
Possible Temporary Solutions
[] Use another door(s) as the accessible entrance.
[] Reverse door swing if safe to do so.
Possible Long-term Solutions
[] Widen door.
[] Move or remove partitions or other obstructions.
[] Install offset (swing-clear) hinges.
5. Are there at least 18 inches (24 inches preferred) of clear wall space on the pull side of the door, next to the handle? Yes[] No[] Clear space _____
Figure 7, page 16
Possible Temporary Solutions
[] Remove or relocate furnishings, partitions, or other obstructions.
Possible Long-term Solutions
[] Move door.
[] Add power-assisted or automatic door opener.

6. Is the threshold level (less than $\frac{1}{4}$ inch high) or beveled (up to $\frac{1}{2}$ inch high)?

Yes[] No[] Height_____

Possible Temporary Solutions

[] If there is a single step with a rise of 6 inches or less, add a temporary short ramp.

Possible Long-term Solutions

[] If there is a single step with a rise of 6 inches or less, add a permanent short ramp.

[] If there is a $\frac{1}{2}$ inch high threshold, remove it or add a bevel.

7. Are doormats $\frac{1}{2}$ inch high or less, and securely installed to minimize tripping hazards?

Yes[] No[]

Possible Solutions

[] Replace or remove mats.

[] Secure mats at edges.

ENTRANCE TO POLLING PLACE AND POLLING ROOM

Entrance

8. Is the door handle located no higher than 48 inches from the floor and operable with a closed fist?

Yes[] No[] Height_____

(The "closed fist" test for handles and controls: Try opening the door or operating the control using only one hand, held in a fist. If you can do it, so can a person who has limited use of his or her hands.)

Possible Temporary Solutions

[] Have a person posted in or around the entrance to assist disabled persons. It is acceptable to assign this task to the precinct deputy.

[] If possible, prop doors open

[] Secure door latch with duct tape so that opening the door will only require a pull/push motion.

Possible Long-term Solutions

[] Replace inaccessible knob with a lever or loop handle.

[] Retrofit with an add-on lever extension.

[] Retrofit with accessible closed fist control system (doorbell)

9. Can exterior doors be opened without too much force (maximum is 8.5 lbs. on exterior doors)? (The maximum force requirement is set forth in section 11-4.13.11(2)(a) of the Florida Building Code. The ADA Guidelines do not address exterior door force).

Yes[] No[] Force_____

(A quick and inexpensive way to measure force is to use a fish scale. Attach the hook to the door handle and pull to measure pounds of force needed to open the door.)

Possible Temporary Solutions

[] Adjust door closers and oil the hinges.

[] Have a person posted in or around the entrance to assist disabled persons. It is acceptable to assign this task to the precinct deputy.

[] If possible, prop doors open.

Possible Long-term Solutions

[] Install power-assisted or automatic door openers.

[] Install lighter doors.

10. If the door has a closer, does it take at least 3 seconds to close?

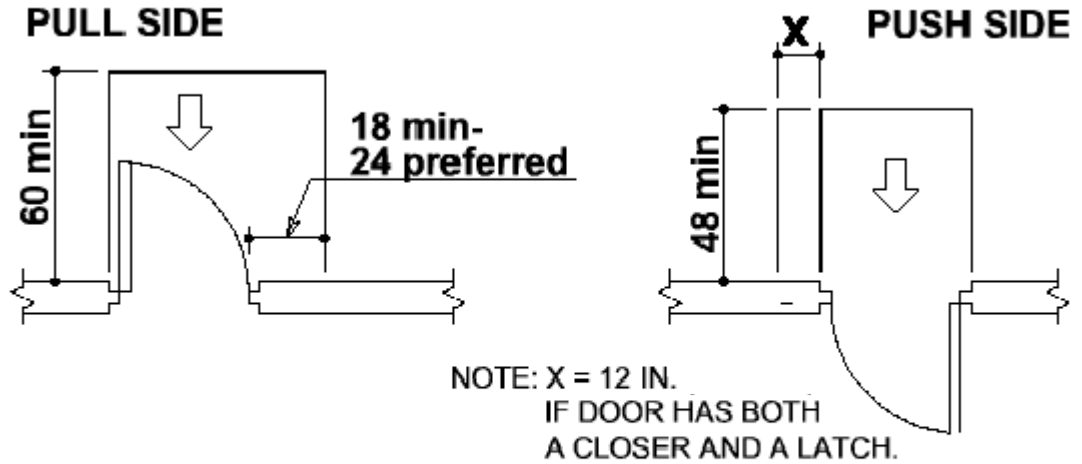
Yes[] No[] Seconds_____

Possible Temporary Solutions

[] Adjust closing mechanism to increase time lapsed when closing

Possible Long-term Solutions

[] Change closing mechanism



(a)
Front Approaches - Swinging Doors

Fig 7
Maneuvering Clearance at Doors

NOTE: All doors in alcoves shall comply with the clearances for front approaches.

Front Approaches – Swinging Doors. Front approaches to pull side of swinging doors shall have maneuvering space that extends 18 inches minimum beyond the latch side of the door and 60 inches minimum perpendicular to the doorway.

Front approaches to push side of swinging doors, if equipped with both closer and latch, shall have maneuvering space that extends 12 inches minimum beyond the latch side of the door and 48 inches minimum perpendicular to the doorway.

Front approaches to push side of swinging doors, if not equipped with latch and closer, shall have maneuvering space that is the same width as door opening and extends 48 inches minimum perpendicular to the doorway.

ENTRANCE TO POLLING PLACE & POLLING ROOM, **Continued**

Ideally, the layout of the building should allow people with disabilities to obtain materials or services without assistance.

Horizontal Circulation / Maneuverability Within the Space

1. Does the accessible building entrance provide direct access to the polling place?
Yes[] No[]
Possible Temporary Solutions
[] Add temporary ramps.
[] Make another entrance accessible.
Possible Long-term Solutions
[] Add permanent ramps or install lifts

2. Does the interior accessible route of travel lead to the polling area? Yes[] No[]
Possible Solution
[] Use an alternate accessible route of travel that leads to the polling area.

3. Is the interior accessible route to all polling areas at least 36 inches wide?
Yes[] No[] Width_____
Possible Temporary Solutions
[] Move furnishings such as tables, chairs, display racks, vending machines, and
counters to make more room.
Possible Long-term Solutions
[] Widen accessible route

4. Is there a 5-foot circle or T-shaped space for a person using a wheelchair to reverse direction when
maneuvering within or exiting the polling place?
Yes[] No[]
Figure 8, page 18.
Possible Temporary Solutions
[] Rearrange furnishings, displays, and equipment.

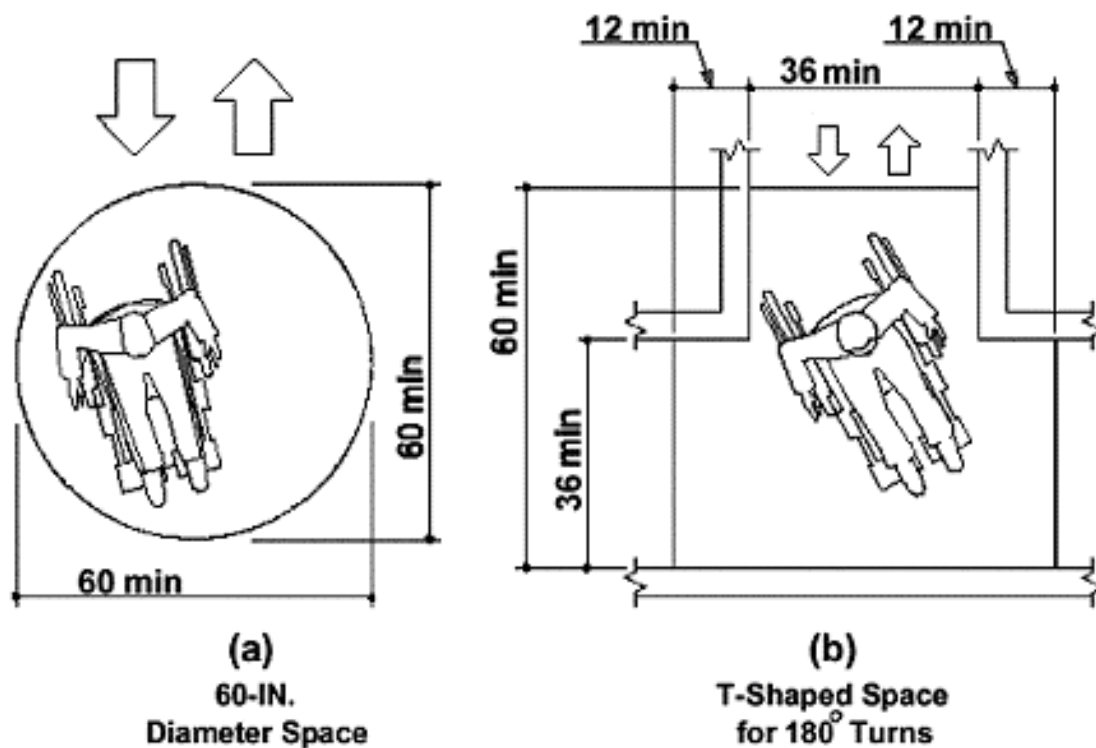


Fig 8
Wheelchair Turning Space

(b) T-Shaped Space for 180 degree Turns. The T-shaped space is created by the perpendicular intersection of two routes. Each route must be a minimum of 36 inches in width. The route forming the top of the "T" must extend at least 12 inches beyond the intersection in each direction and the route forming the base of the "T" must extend at least 24 inches beyond the intersection. The "T" fits within a 60 inch square.

ENTRANCE TO POLLING PLACE & POLLING ROOM, **Continued**

Doors

1. Do doors into polling place and polling rooms have at least a 32-inch clear opening?
Yes[] No[] Polling place door clear width _____
Polling room door clear width _____
Possible Long-term Solutions
[] Install offset (swing-clear) hinges.
[] Widen doors.

2. Do the doors exiting the polling place and polling rooms, if separate from the entrance, have at least a 32-inch clear opening (for a double door, at least one 32 inch leaf)?
Yes[] No[]
Possible Temporary Solutions
[] Use another door(s) as the accessible entrance.
Possible Long-term Solutions
[] Install offset (swing-clear) hinges.
[] Widen doors.

3. On the pull side of the polling place doors, if separate from the entrance, are there at least 18 inches (24 inches preferred) of clear wall space next to the handle so that a person using a wheelchair or crutches can get near to open the door?
Yes[] No[] Clear space _____
Possible Temporary Solutions
[] Reverse door swing if safe to do so.
[] Remove or relocate furnishings, partitions, or other obstructions.
Possible Long-term Solutions
[] Move or remove obstructing partitions.
[] Move door.
[] Add power-assisted or automatic door opener.

4. Can interior doors be opened without too much force (maximum is 5 lbs. on interior doors)?
Yes[] No[] Force _____
(A quick and inexpensive way to measure force is to use a fish scale. Attach the hook to the door handle and pull to measure pounds of force needed to open the door).
Possible Temporary Solutions
[] Adjust door closers and oil the hinges.
[] Have a person posted in or around the entrance to assist disabled persons. It is acceptable to assign this task to the precinct deputy.
[] If possible, prop doors open.
Possible Long-term Solutions
[] Install power-assisted or automatic door openers.
[] Install lighter doors

5. Are interior door handles 48 inches high or less and operable with a closed fist?
Yes[] No[] Height _____
Possible Temporary Solutions
[] Adjust door closers and oil the hinges.
[] Have a person posted in or around the entrance to assist disabled persons. It is acceptable to assign this task to the precinct deputy.
[] If possible, prop doors open.
[] Secure door latch with duct tape so that opening the door will only require a pull/push motion.

Possible Long-term Solutions

- Lower handles.
- Replace inaccessible knobs or latches with lever or loop handles.
- Retrofit with add-on lever extensions.
- Install power-assisted or automatic door openers.
- Retrofit with accessible closed fist control system (doorbell).

6. Are all interior threshold levels (less than ¼ inch high) or beveled(up to ½ inch high)?

Yes No Height _____

Possible Temporary Solutions

- If there is a single step with a rise of 6 inches or less, add a temporary short ramp.

Possible Long-term Solutions

- If there is a single step with a rise of 6 inches or less, add a permanent short ramp.
- If there is a ½ inch high threshold, remove it or add a bevel.

VOTING BOOTH ENTRANCE & MANEUVERABILITY

Polling Rooms and Voting Surfaces

1. Are all aisles and pathways in the polling room and to the voting booths at least 36 inches wide?

Yes[] No[] Width_____

Figure 8, page 18

Possible Temporary Solutions

[] Rearrange furnishings and fixtures to clear aisles.

2. Is there enough space within the polling room to accommodate voting booths that allow a 5-foot circle or T-shaped space for turning a wheelchair completely in and around the voting booth?

Figure 8, page 18

Yes[] No[]

Possible Temporary Solutions

[] Rearrange furnishings to clear more room.

3. Is carpeting low-pile, tightly woven, and securely attached along edges? Yes[] No[]

Possible Temporary Solutions

[] Secure edges on all sides.

[] Place hard non-slip material over carpet.

Possible Long-term Solutions

[] Replace carpeting.

4. Are all obstacles in routes within the polling room cane-detectable?

Yes[] No[] Distance from wall_____ Height_____

(In order to be detected using a cane, an object, e.g. fire extinguishers, water fountains, etc. must be within 27 inches off the ground. Objects hanging or mounted overhead must be higher than 80 inches to provide clear headroom. It is not necessary to remove objects that protrude less than 4 inches from the wall.)

Possible Temporary Solutions

[] Move or remove movable protruding objects.

[] Add a wooden cane-detectable base around the object, that extends to the ground.

[] Place a cane-detectable object, such as a planter, on the ground as a warning barrier.

[] Provide another means of temporary access that is in compliance.

Possible Long-term Solutions

[] Permanently remove obstacles.

[] Add a permanent cane-detectable base that extends to the ground.

[] Permanently install furnishings or other cane-detectable barriers underneath as a warning barrier.

5. Do signs directing voters to the polling room(s) comply with the appropriate requirements for engraved or raised braille signage? Do all signs meet legibility requirements regarding contrast and character proportion?
Yes[] No[]

Possible Temporary Solutions

[] Provide temporary signs that have raised letters and Braille, meet finish and contrast standards, and are mounted at the correct height and location. For example, post signs along the primary route and entrance, and along the accessible path if different from the primary route or entrance.

[] Have a person posted directing people to appropriate areas. It is acceptable to assign this task to a precinct deputy.

Possible Long-term Solutions

[] Provide permanently installed signs that have raised letters and Braille, meet finish and contrast standards, and are mounted at the correct height and location. For example post signs along the primary route and entrance, and along the accessible path if different from the primary route or entrance.

VOTING BOOTH ENTRANCE & MANEUVERABILITY, **Continued**

Seats, Tables, and Counters/ Voting Stations

The following is applicable to accessible voting surfaces only, except when the voting system is a self-standing unit. In the case of self-standing units and at the discretion of the supervisor of elections, the voting system may be moved and given to the disabled voter to place on their lap, or some other alternative, while voting.

1. Are the table or counter tops of the accessible voting surface between 28 and 34 inches high?
Yes[] No[] Height_____

 - Possible Temporary Solutions
 - [] If adjustable, lower part or all of high surfaces.
 - [] Provide auxiliary table or counter.
 - Possible Long-term Solutions
 - [] Permanently lower part or all high surfaces.

2. Are knee spaces at accessible voting stations at least 27 inches high (from the lowest hardware underneath), 30 inches wide, and 19 inches deep?
Yes[] No[] Height_____ Width_____ Depth_____

 - Possible Temporary Solutions
 - [] Temporarily remove voting stations and replace voting stations with ones that are accessible.
 - [] Temporarily raise voting stations.
 - Possible Long-term Solutions
 - [] Replace voting stations with ones that are accessible.

Vertical Circulation: Split and Upper Levels

(Note: A split level is defined as having the floor levels of adjoining rooms separated by about a half story.)

1. In order to access the polling area and/or the voting booths, must voters travel above ground level?
Yes[] No[]

If your answer to #1 is No, you have completed the survey. Please proceed to the *Summary of Determination of Accessibility* on page 31.

2. Are there ramps or elevators to all levels? Yes[] No[]

 - Possible Temporary Solutions
 - [] Build and install temporary wooden ramps.
 - [] Rent or purchase and install "suitcase" ramps.
 - [] Relocate the polling room/voting booth to an accessible area.
 - Possible Long-Term Solutions
 - [] Install permanent ramps or lifts.
 - [] Modify a service elevator.

3. On each level, if there are stairs and/or elevators between the entrance and voting areas which must be used to access the polling room and/or voting area, is there an accessible alternate route? (For example, a voter has entered the building and the polling room is located in a split level room. The voting booths were set up at a level different from the one accessible by the elevator or existing ramps. You must make sure that a separate ramp, lift or elevator allows the voter to access the level where the voting booths were set up).

Yes[] No[]

Possible Temporary Solutions

[] If an alternate accessible route exists, post clear signs directing people along an accessible route to ramps, lifts, or elevators.

Possible Long-term Solutions

[] If no accessible route exists, install permanent ramps, lifts or elevators to create one, and clearly label the accessible route.

Stairs

1. In order to access your polling area, must voters travel above the first floor? Yes[] No[]

The following questions apply to stairs connecting levels not connected by an elevator.

2. Do treads have a non-slip surface? Yes[] No[]

Possible Solutions

[] Add non-slip surface to treads.

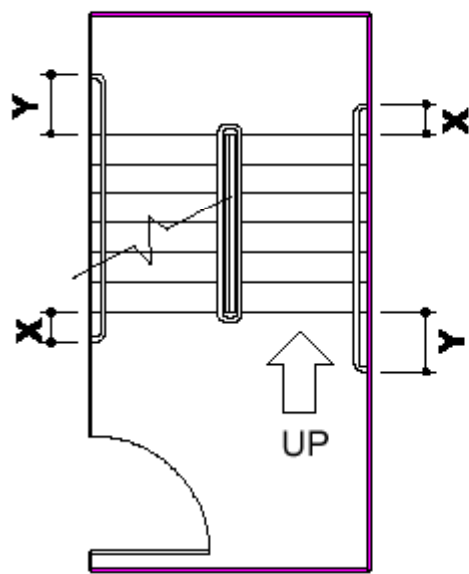
3. Do stairs have continuous handrails on both sides, with a 12-inch handrail extension beyond the top and bottom stairs?

Yes[] No[]

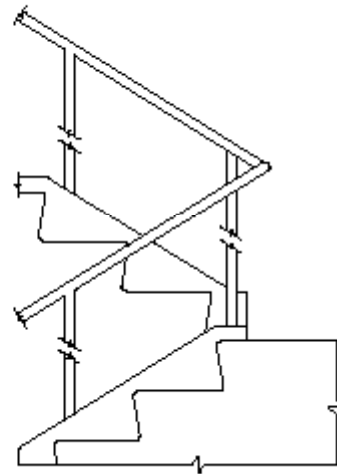
Figure 9, page 25

Possible Solutions

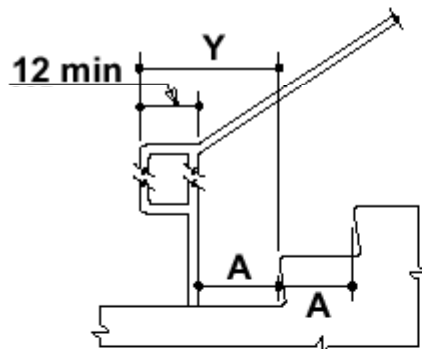
[] Add or replace handrails if possible within the existing floor plan.



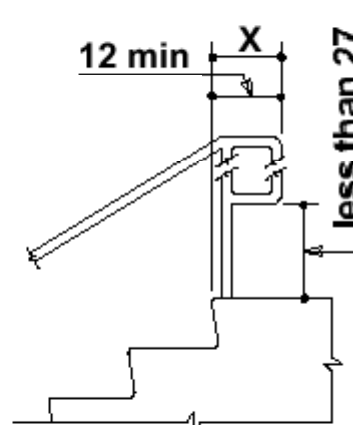
(a)
Plan



(b)
Elevation of
Center Handrail



(c)
Extension at
Bottom of Run



(d)
Extension at
Top of Run

NOTE:
**X IS THE 12 IN. MINIMUM HANDRAIL EXTENSION
 REQUIRED AT EACH TOP RISER.**
**Y IS THE MINIMUM HANDRAIL EXTENSION OF 12 IN.
 PLUS THE WIDTH OF ONE TREAD THAT IS REQUIRED
 AT EACH BOTTOM RISER.**

**Fig 9
 STAIR HANDRAILS**

VOTING BOOTH ENTRANCE & MANUEVERABILITY, Continued

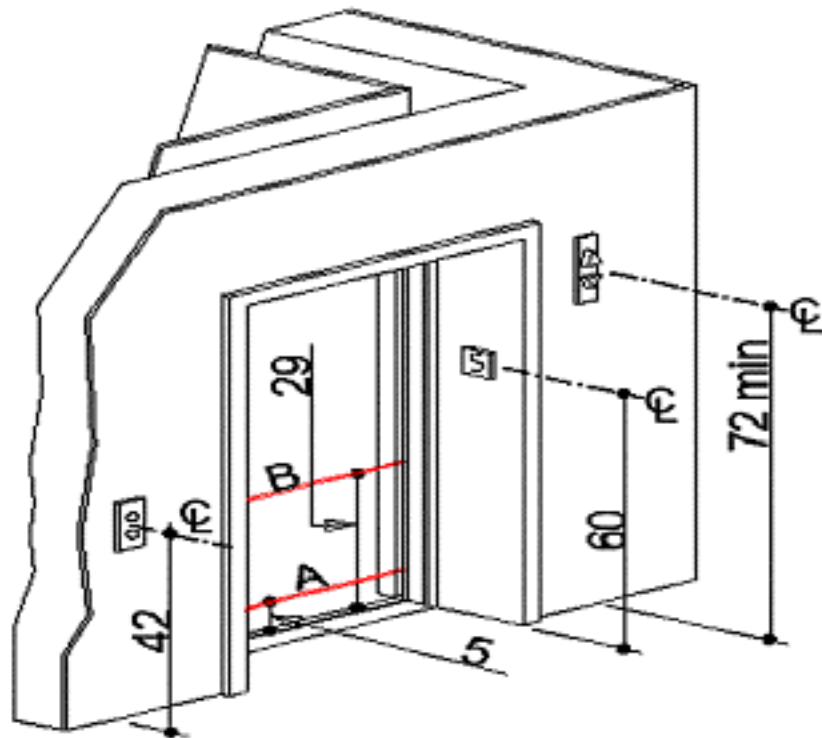
Elevators

Elevators need to be surveyed only if their use is necessary to access the polling room(s). When elevators are located within the accessible route but not used to access the polling room(s), they do not need to be surveyed. *Figures 10, 11 and 12 on pages 28 through 30.*

1. Does the polling place use elevators in the path of travel to the voting area? Yes[] No[]
2. Are there both visible and verbal or audible door opening/closing and floor indicators (one tone = up, two tones = down)? Yes[] No[]
 - Possible Temporary Solutions
 - [] Assign a person to assist voters at elevator or lift.
 - Possible Long-term Solutions
 - [] Install visible and verbal or audible signals.
3. Are the call buttons in the hallway no higher than 42 inches? Yes[] No[] Height _____
 - Possible Temporary Solutions
 - [] Assign a person to assist voters at elevator or lift.
 - Possible Long-term Solutions
 - [] Lower call buttons.
 - [] Provide a permanently attached reach stick.
4. Do the controls outside and inside the cab have raised and Braille lettering? Yes[] No[]
 - Possible Temporary Solutions
 - [] Install temporary signs with raised lettering and Braille next to the control buttons.
 - [] Assign a person to assist voters at elevator or lift.
 - Possible Long-term Solutions
 - [] Install raised lettering and Braille next to control buttons.
5. Is there a sign in large print and Braille letters on the jamb at each floor indicating the floor level?
Yes[] No[]
 - Possible Temporary Solutions
 - [] Install temporary tactile signs to identify floor numbers, at a height of 60 inches from the floor.
 - [] Assign a person to assist voters at elevator or lift.
 - Possible Long-term Solutions
 - [] Install permanent tactile signs to identify floor numbers, at a height of 60 inches from the floor.
6. If an emergency intercom is provided, is it usable without voice communication? Yes[] No[]
 - Possible Temporary Solutions
 - [] Assign a person to assist voters at elevator or lift.
 - Possible Long-term Solutions
 - [] Modify communication system. (Automated Digital Communication)
7. Is the emergency intercom identified by Braille and raised letters? Yes[] No[]
 - Possible Temporary Solutions
 - [] Assign a person to assist voters at elevator or lift.
 - Possible Solutions
 - [] Add temporary or permanent tactile identification.

Lifts

1. Does your polling place use lifts in the path of travel to the voting area? Yes[] No[]
2. Is the lift operational? Yes[] No[]
Possible Solutions
[] Repair the lift.
3. Can the lift be used without assistance? Yes[] No[]
Possible Temporary Solutions
[] At each stopping level, post a temporary accessible sign with clear instructions for use of the lift.
[] Assign a person to aid in using the lift.
Possible Long-term Solutions
[] At each stopping level, post a permanent accessible sign with clear instructions for use of the lift.
4. Are there at least 30 by 48 inches of clear L-shaped space in front of the control panel so that a person in a wheelchair may approach and reach the controls and use the lift?
Yes[] No[] Clear space_____
Possible Temporary Solutions
[] Rearrange movable furnishings and equipment to clear more space.
[] Assign a person to aid in using the lift.
Possible Long-term Solutions
[] Rearrange affixed furnishings and equipment to clear more space.
5. Are controls between 35 and 48 inches high (up to 54 inches if a side approach is possible)?
Figure 12, page 30.
Yes[] No[] Height_____
Possible Temporary Solutions
[] Assign a person to aid in using the lift.
Possible Long-term Solutions
[] Move controls.
6. If the lift is key operated, is there easy access to the key? Yes[] No[]
Possible Solutions
[] Have a policy/procedure that makes the key readily available.



NOTE: THE AUTOMATIC DOOR REOPENING DEVICE IS ACTIVATED IF AN OBJECT PASSES THROUGH EITHER LINE A OR B. LINE A AND B REPRESENT THE VERTICAL LOCATIONS OF THE DOOR REOPENING DEVICE NOT REQUIRING CONTACT.

Fig. 10
Elevator Entrances

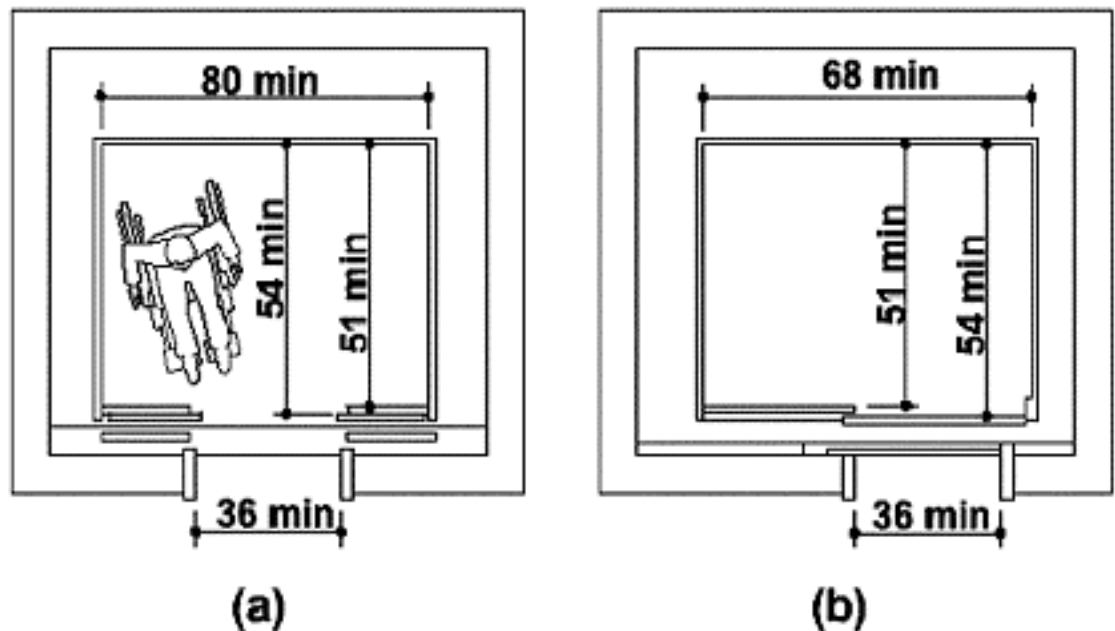


Fig. 11
Minimum Dimensions of Elevator Cars

(a) Illustrates an elevator with a door providing a 36 in minimum clear width, in the middle of the elevator. The width of the elevator car is a minimum of 80 in. The depth of the elevator car measured from the back wall to the elevator door is a minimum of 54 in. The depth of the elevator car measured from the back wall to the control panel is a minimum of 51 in .

(b) Illustrates an elevator with door providing a minimum 36 in clear width, located to one side of the elevator. The width of the elevator car is a minimum of 68 in. The depth of the elevator car measured from the back wall to the elevator door is a minimum of 54 in. The depth of the elevator car measured from the back wall to the control panel is a minimum of 51 in .

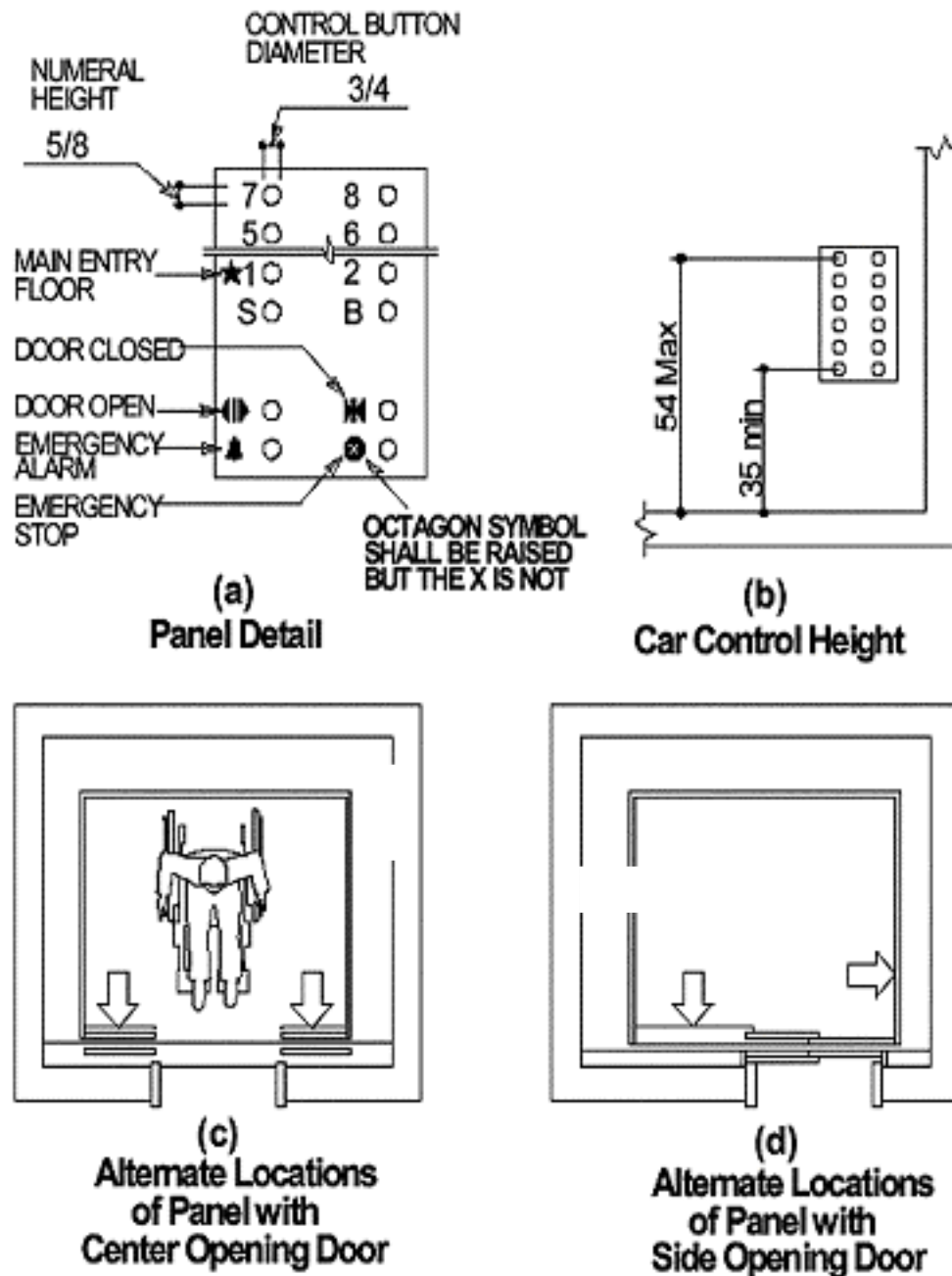


Fig. 12
Car Controls

Panel Detail. The diagram illustrates the symbols used for the following control buttons: main entry floor, door closed, door open, emergency alarm, and emergency stop. The diagram further states that the octagon symbol for the emergency stop shall be raised but the X (inside the octagon) is not.

ATTACHMENT #2

2003 REPORT ON
COUNTYWIDE POLLING PLACE
DETERMINATION OF ACCESSIBILITY

County Name:
Name of the supervisor of elections:

Date Countywide Surveying commenced:

Date Countywide Surveying was completed:

Total Number of Polling Places in County:

Total number of Fully Accessible Polling Places:

Total number of Accessible but Inconvenient Polling Places:

Total number of Inaccessible Polling Places:

Total number of Inaccessible Polling Places that cannot be brought into compliance with the Florida Americans with Disabilities Implementation Act (ss. 553.501-553.513, F.S.) by July 1, 2004:

Total number of tax supported Inaccessible Polling Places that cannot be brought into compliance with the Florida Americans with Disabilities Act by July 1, 2004

(1) *Specify the criteria used in your county when determining if a polling place was deemed accessible but inconvenient:*

(4) For each county polling place deemed inaccessible and which cannot be brought into compliance with the Florida Americans with Disabilities Act on or before July 1, 2004, supply the following detailed information and complete the certificate at the bottom of the page. Completion of the certificate is necessary in order to obtain a variance for each currently inaccessible polling place. As established by section 17 of Chapter 2002-281, Laws of Florida, granted variances will allow the use of inaccessible polling places until the primary and general elections to be held in the year 2006. Reproduce this page as many times as necessary.

County _____

Polling Place Name _____

Polling Place Address _____

Precinct Number(s) _____

Date Polling Place was Surveyed _____

Is the facility where the Polling Place is located tax supported? Yes _____ No _____

Have suitable polling place alternatives in the precinct been surveyed? If yes, please state how many. Yes _____ No _____

Have any polling place alternatives in the precinct been found accessible after being surveyed? If yes, please state how many. Yes _____ No _____

Will the polling place identified herein be brought into compliance by the 2006 primary and general elections? Yes _____ No _____

If yes, please estimate the approximate cost of bringing the polling place into compliance by the 2006 primary and general elections. _____

Do you plan on discontinuing use of the polling place identified herein for the 2006 primary and general elections? Yes _____ No _____

State the specific reasons why this polling place may not be brought into compliance with the Florida Americans with Disabilities Act on or before July 1, 2004. Please use the back of this sheet if you need more space.

CERTIFICATE

I _____, Supervisor of Elections for _____ County, do hereby certify that the polling place identified on this page cannot be brought into compliance with the Florida Americans with Disabilities Act on or before July 1, 2004. I further certify that no accessible alternative polling places are available for this precinct. I therefore request that a variance be granted for this polling place until the primary and general elections in 2006.

Supervisor of Elections Signature

Date

ATTACHMENT #3

Dear Supervisors:

As you can all imagine, I have been receiving a fairly steady stream of questions pertaining to the Polling Place surveys. In an effort to provide the same information to all the supervisors of elections, I will attempt to summarize the "frequently asked" questions and the answers provided by the Division. Yesterday's hot topics were:

(1) What is the definition of an "accessible but inconvenient" polling place?

First and foremost, the entire polling place survey is to be conducted from the viewpoint of the disabled voters. Is the polling place accessible to the disabled voter? Is it accessible but inconvenient to the disabled voter? or is it inaccessible to the disabled voter? Those are the questions to be asked when evaluating the results of the polling place survey and filling out page # 31 of that form (Form DS DE 43). This type of analysis requires that you, as supervisors of elections (or the staff doing the surveying per your request), put yourself in the place of that disabled voter and "navigate" through the polling place -- How accessible is the polling place for someone in a wheelchair? Someone using a walker? Crutches? Someone with little or no movement in his or her arms and/or hands? A blind person? Put yourself in those positions when determining if this particular polling place is accessible to these voters or not.

An "accessible but inconvenient" polling place is one where a disabled voter is able to arrive at the polling place, park/be dropped off, and then proceed to approach and enter the polling place, cast his or her ballot and exit, but not necessarily in the most convenient of ways. *For example*, the voter can do all of the above, but instead of going in through the same entryway as the non-disabled voters, he or she must go around to the side of the building (a longer route) and use a separate accessible entrance with a ramp leading up to it. The voter can accomplish the goal of going in and voting, but is doing so going through additional steps not necessarily taken by non-disabled voters. This might be considered "accessible but inconvenient".

As stated in our June 26, 2003 letter to Deborah Clark (a copy of which was mailed to each supervisor of elections) a supervisor may choose to not use the category "accessible but inconvenient" and merely report the county's polling places as either "accessible" or "inaccessible." If you choose to use the category of "accessible but inconvenient," remember that such a polling place is still accessible. An accessible but inconvenient polling place is ultimately accessible and you do not need a variance in order to use it in the 2004 election cycle.

(2) What is the definition of an "inaccessible" polling place?

An "inaccessible" polling place is one where for one, or because of a variety of reasons, the voter cannot accomplish the tasks of (a) arriving at the polling place, (b) parking, (c) going into the polling place and voting, and (d) exiting once the process is completed.

PLEASE NOTE that many of the requirements included in the polling place surveys that have to do with particular height, width, etc. measurements are there because of specific statutory requirements included in the State's Building Code, Fire Code.... These measurements are non-negotiable (except for the temporary solutions included in the text of the survey itself and some of

the answers provided by me through e-mail to all of you after discussion with the Fire Marshall, Disability groups, etc.).

The difficulty begins when examining several minor irregularities or variances from the requirements set forth in the survey. Does a one-inch or two off here or there on one or several of these measurement requirements render a polling place inaccessible? If I have all the parking spaces required but instead of 12 feet wide they measure 11 feet wide, does that make my entire polling place inaccessible? No. In the case of a paved parking area, you can use one of the temporary solutions (for example cones) to make the polling place accessible.

But what if no temporary solution is available or acceptable for your particular irregularity and a permanent solution is out of the question due to excessive cost or other reasons? Our answer is that, because the deficiency cannot be corrected with either temporary or permanent solutions, the polling place is inaccessible. Once you report the polling place as inaccessible and sign the certificate requesting a waiver, we will grant that waiver and you will be able to use the polling place in 2004, but you will be unable to use it for the 2006 election cycle.

(3) What is the definition of a "temporary solution" and what is the result of using one?

Temporary solutions are those listed in the polling place survey. Only those solutions listed are considered appropriate. The only exceptions are those that I've e-mailed to the supervisors as answers to specific questions after discussion with the Governor's ADA Working Group and other entities.

The use of a temporary solution to solve a specific accessibility problem renders that problem solved and therefore the "feature" accessible.

(4) Does the use of curbside voting render a polling place accessible?

As discussed in the Rulemaking hearings for Rule 1S-2.035, F.A.C., curbside voting has been deemed unacceptable by a variety of disabled community groups, by the U.S. Department of Justice (see www.ada.gov), and it is not endorsed by the Division of Elections as a way to render a polling place accessible. Furthermore, "curbside voting" is not an acceptable permanent or temporary solution to an accessibility problem at the polling place which is why it is not included as either type of solution in the polling place survey checklist.

(5) Must "unpaved" rural parking areas be paved in order to be considered accessible? What types of paving materials are acceptable?

Many of you wanted to know if any paved disabled parking spaces had to be provided when the only parking area available at the polling place was an open field/grass area. The answer is that yes, accessible parking for the disabled must be provided if a "grassy" parking area is provided to non-disabled voters. As I've discussed with some of you, a grass parking area is not accessible to the disabled if they cannot easily maneuver a wheelchair/walker/crutches over the surface (think different levels of disability, for example a disabled person may lack the necessary strength to mobilize the equipment he or she is using over uneven unpaved surfaces). Grassy areas become particularly troublesome if Election Day happens to be after a rainy few days or if it's storming on Election Day.

However, you do not have to go through the expense of paving the entire parking area. The solution is to estimate the number of cars that could be parked in the grassy area and use the

chart on page 3 of the survey to establish how many disabled parking spaces need to be paved and marked. As far as what materials are acceptable “paving” materials, certainly concrete or tar are acceptable paving materials. I would not venture into “approving” or “denying” the acceptability of any other type of paving materials since I am not versed in those areas. When evaluating whether a specific type of material is or is not acceptable, I would advise you to take into consideration the basic question of: Can a person using a wheelchair/walker/crutches easily traverse over this surface in all types of weather?

(6) What if the doors to the polling place do not have at least 32 inches of clear space when opened as required in question # 4 of page 13 of the survey?

After discussion with the Executive ADA Administrator for the Governor’s Working Group on the ADA, the following was determined:

- (a) If you have a set of double doors, and each door does not have at least 32 inches of clear space when opened, an acceptable temporary solution is to prop open both doors if no middle divider exists.
- (b) If your set of double doors has a middle divider, and on either side of it the clear space is not at least 32 inches wide, your door is not compliant with the building code requirement and your polling place is inaccessible.
- (c) If you only have a single door, and the clear space when the door is open is not at least 32 inches wide, your door is not compliant and the polling place is inaccessible.

(7) Are supervisors of elections required to post the appropriate parking fine for inappropriate/unauthorized use of disabled parking spaces?

No, the posting of such fines in temporary signs used to mark disabled parking spaces exclusively for Election Day is not required but may be included if you choose to do so.

(8) Using the Form Entitled “2003 Report on Countywide Polling Place Determination of Accessibility”.

The form has several “parts”:

- (a) The initial summary table where you give us numeric data/totals;
- (b) Question one requesting that you clearly state exactly what your county’s criteria was for determining that a polling place was deemed “accessible but inconvenient”;
- (c) Question two requesting that you clearly state exactly what your county’s criteria was when determining if a polling place was deemed “inaccessible”;
- (d) Question three requesting that you give us a ballpark estimate of the cost of bringing into compliance the polling places that will be accessible on or before July 1, 2004;
- (e) And lastly, page three of the reporting form that deals with those polling places that you determined were inaccessible.

For questions one and two, please be as detailed as possible when explaining to us what your criteria was for rendering a polling place “accessible but inconvenient” or “inaccessible”. As you have all experienced, there is some room for interpretation when using these categories and we just want to make sure that we are (or aren’t) reading comparable reports when collecting the data to issue our own report to the Legislature and the Governor.

For question three, don't worry about not having set prices to bring the polling places into compliance yet. We merely need an estimate. The reason for question three is so that we can give the Legislature and the Governor an idea of how much money it will cost to bring the state's polling places into compliance with the requirements they have set in the law.

You only need to fill out page three of the reporting form if you have reported "inaccessible" polling places. You need to fill out one page 3 for each inaccessible polling place. You will only receive a waiver so that you may use an "inaccessible" polling place in the 2004 election cycle if you complete page 3 for the particular inaccessible polling place.

For polling places that were determined to be "accessible" or "accessible but inconvenient" because all accessibility issues/problems identified were resolved using temporary or permanent solutions, there is no need to fill out a page three.

Some of you pointed out that if you have no need to fill out a page three, there is no place for you to sign as having filled out and approved the contents of the reporting form. That is a correct statement and a flaw in the form (my mistake). Please sign and date at the bottom of page 2 if you don't have to fill out a page three.

I hope that the questions and answers above help you complete this statutorily mandated task of examining where the State of Florida currently is on polling place accessibility, so that we may all continue to work towards improving the voting experience for our disabled voters.

Sincerely,

Marielba Torres

Assistant General Counsel

Division of Elections

ATTACHMENT #4

Countywide Polling Place Survey for 2003

County	Total Polling Places	Total Fully Accessible	Accessible Inconvenient	Total Inaccessible	VariANCES Requested	Tax Support Cannot Comply
ALACHUA	70	31	0	39	39	4
BAKER	9	9	0	0	0	0
BAY	53	4	0	49	49	11
BRADFORD	20	0	17	3	3	0
BREVARD	136	122	1	13	13	3
BROWARD	795	449	0	346	346	144
CALHOUN	12	2	0	10	10	0
CHARLOTTE	80	72	0	8	8	0
CITRUS	4.1	32	0	9	9	0
CLAY	56	4	0	52	26	8
COLLIER	93	63	0	30	0	0
COLUMBIA	30	5	10	15	15	0
DESOTO	13	1	2	10	10	4
DIXIE	11	8	0	3	3	0
DUVAL	267	7	41	219	219	50
ESCAMBIA	85	11	0	74	74	22
FLAGLER	30	19	3	8	1	0
FRANKLIN	8	4	0	4	4	2
GADSDEN	26	13	4	9	9	1
GILCHRIST	9	9	0	0	0	0
GLADES	13	1	9	3	3	0
GULF	13	12	0	1	0	0
HAMILTON	8	8	0	0	0	0
HARDEE	12	8	0	4	4	0
HENDRY	23	10	0	13	5	1

County	Total Polling Places	Total Fully Accessible	Accessible Inconvenient	Total Inaccessible	Variiances Requested	Tax Support Cannot Comply
HERNANDO	55	53	0	2	2	2
HIGHLANDS	26	13	0	13	13	7
HILLSBOROUGH	352	214	0	127	127	16
HOLMES	16	5	0	11	11	7
INDIAN RIVER	48	4	23	21	21	7
JACKSON	27	13	0	14	14	3
JEFFERSON	15	0	3	12	12	2
LAFAYETTE	5	4	0	1	0	0
LAKE	91	91	0	0	0	0
LEE	168	59	0	109	109	9
LEON	104	94	0	10	10	4
LEVY	14	9	0	5	5	5
LIBERTY	8	3	0	5	5	0
MADISON	11	3	0	8	8	7
MANATEE	134	128	0	6	2	0
MARION	103	87	14	2	1	1
MARTIN	49	48	0	1	1	0
MIAMI-DADE	511	183	0	328	328	148
MONROE	33	14	0	19	19	7
NASSAU	21	20	0	1	0	0
OKALOOSA	52	9	0	43	0	0
OKEECHOBEE	15	3	0	12	12	2
ORANGE	250	221	0	29	29	1
OSCEOLA	66	60	4	2	2	0
PALM BEACH	420	16	0	390	351	143
PASCO	143	135	0	8	8	1
PINELLAS	302	75	0	226	226	49

County	Total Polling Places	Total Fully Accessible	Accessible Inconvenient	Total Inaccessible	Variations Requested	Tax Support Cannot Comply
POLK	145	76	7	62	62	8
PUTNAM	33	12	4	17	0	0
SANTA ROSA	39	7	0	32	32	17
SARASOTA	133	98	0	35	35	5
SEMINOLE	102	47	0	55	20	3
ST. JOHNS	63	40	17	6	6	6
ST. LUCIE	75	0	0	75	75	7
SUMTER	31	24	0	7	7	5
SUWANNEE	16	2	1	13	13	7
TAYLOR	15	0	0	15	15	7
UNION	6	0	3	3	0	0
VOLUSIA	161	135	3	23	16	0
WAKULLA	12	3	0	9	9	9
WALTON	32	9	17	6	6	0
WASHINGTON	19	18	0	1	0	0
STATE TOTAL	5834	2939	183	2686	2462	745