

**Department of Legislative Services**

Maryland General Assembly

2002 Session

**FISCAL NOTE**

Senate Bill 711

(Senator Colburn)

Finance

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**Public Lodging - Individuals with Disabilities - Accessible Rooms and Platform Lifts**

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This bill requires hotels and other places of public lodging to provide specified accommodations for individuals with disabilities, and to train personnel in specified procedures relating to assisting individuals with disabilities.

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**Fiscal Summary**

**State Effect:** State general fund expenditures could increase to handle increased workload of additional certifications and inspections. General fund revenues could increase from additional fees.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Bill Summary:** The bill requires hotels and other places of public lodging to provide to an individual with a disability an accessible room, on the sixth floor or lower, consistent with the Americans with Disabilities Act (ADA) accessibility guidelines for buildings and facilities. Every other floor must have a platform lift, and personnel must be trained in the operation of a platform lift and how best to assist an individual with a disability in the event of an evacuation.

Front desk staff must:

- before offering any other room, first offer an unoccupied, accessible first floor room to an individual with a disability; and
- note the use of a room on any floor by an individual with a disability in order to assist emergency personnel in the case of an evacuation.

**Current Law:** Under statutory authority governing statewide building and housing codes (Article 83B, § 6-102), the Department of Housing and Community Development (DHCD) has adopted the Maryland Accessibility Code to establish minimum requirements that provide for the accessibility and usability of buildings and facilities by individuals with disabilities. DHCD has no authority to waive requirements imposed by federal law, and only where the code is more restrictive than federal ADA law can DHCD exercise its waiver or exemption authority.

**Background:** Title III of the 1990 ADA states that no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation.

**State Fiscal Effect:** The Department of Labor, Licensing, and Regulation (DLLR) reports that there are approximately 17,000 certified elevators, escalators, moving walks, and platform lifts throughout the State. In 2001, 28 inspectors performed nearly 18,000 site visits for accident investigations, complaints, safety tests, inspections, and revisits. The current fee is \$500 for a two-year certification for a platform lift.

The number of establishments that would be impacted by this bill -- and the number of lifts that would have to be installed, inspected, and certified based on the number of stories of each building -- is not readily available. If there is a significant increase in certifications and inspections, DLLR would require additional general fund expenditures to handle the increased workload. Correspondingly, at \$500 for each two-year certification, DLLR would collect \$500,000 (or \$250,000 per year) in general fund fees for each 1,000 new lifts.

**Small Business Effect:** The bill will have an impact to the extent that small businesses will be required to install platform lifts, or more platform lifts, to comply with the law.

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Labor, Licensing, and Regulation; Department of Legislative Services

**Fiscal Note History:** First Reader - March 18, 2002  
lsc/jr

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