

**THE DEPARTMENT OF JUSTICE PROPOSES NEW RULES TO IMPLEMENT THE
AMERICANS WITH DISABILITIES ACT (ADA)**

WASHINGTON - The Department of Justice announced today its intent to solicit comment on proposed amendments to its regulations implementing Titles II and III of the Americans with Disabilities Act of 1990 (ADA). The proposed regulations will, for the first time, establish specific requirements for the design of accessible public facilities such as courtrooms and an array of recreation facilities including playgrounds, swimming pools, amusement parks, and golf courses, making it easier for individuals with disabilities to travel, enjoy sports and leisure activities, play, and otherwise participate in society.

The ADA is a landmark law that protects the civil rights of the more than 50 million persons, including 5 million children ages 3 to 14, with disabilities, and was intended to provide individuals "equality of opportunity, full participation, independent living, and economic self-sufficiency." The ADA bans disability-based discrimination by state and local governments and by public accommodations. Public accommodations are defined as private businesses that are generally open to the public, such as hotels, restaurants, retail stores, theaters, and health care facilities. Additionally, the ADA aims to prevent discrimination as it applies to the design and construction of commercial facilities such as office buildings, factories and warehouses.

The proposed amendments are intended to implement revised guidelines published by the Architectural and Transportation Barriers Compliance Board (Access Board), and to adopt changes necessary to address issues that have arisen since the publication of the original regulations in 1991. The amendments, which represent more than 10 years of collaborative efforts with disability groups, the design and construction industry, state and local government entities, and building code organizations, also are intended to provide greater consistency between the ADA Standards and other federal and state accessibility requirements.

Among other provisions, the proposed amendments to the regulations provide:

- ▶ accessible swimming pools, miniature golf courses, boating facilities, amusement rides, and other recreational activities;

- ▶ accessible playgrounds;
 - captioning of emergency announcements in large stadiums;
 - identification of accessible hotel room features, and require guaranteed reservations of such rooms to the same extent as the entity guarantees reservations for others;
 - the availability of accessible seating in public venues, such as theaters and sports stadiums, for purchase by people with disabilities; and
 - the availability of auxiliary aids, such as video interpreting services, to ensure that people who are deaf or have limited hearing can receive and convey vital information in medical and other settings.

Moreover, the amendments reiterate the requirement for covered entities to permit the use of service animals by people with disabilities, and highlight the distinction that a

service animal must be a dog or other common domestic animal that is trained to perform specific tasks to assist its owner. The amendments also provide a “safe harbor” for establishments that comply with the current ADA standards, such that retrofitting to meet new accessibility standards is not required unless the building element is being altered or replaced.

Advance text of the proposed amendments are now available on the Department of Justice’s web site at www.ada.gov. They will soon be published in the Federal Register, and the Department will seek public comment on the proposals and on related issues that have been identified in the preambles. In compliance with the time period established in the Federal Register, public comment will be accepted at www.regulations.gov. The Department anticipates holding a public hearing on the proposed regulations in Washington, D.C. in July 2008. <http://www.ada.gov>.

More information about the ADA, the proposed regulations, and a public hearing can be obtained on the Department of Justice’s ADA home page at www.ada.gov. Information about the ADA is also available the Department’s toll-free ADA Information Line at 800-514-0301 or 800-514-0383 (TTY).

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