New Ticketing Regulations

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2010 Revised DOJ ADA Regulations

Title II State and Local Government
28 C.F.R. Part 35

Title III Places of Public Accommodation
28 C.F.R. Part 36
  - September 15, 2010 – Published
  - March 15, 2011 - Effective (enforceable)

ADA Standards for Design
- www.ada.gov/2010ADASTANDARDS_INDEX.htm
  - March 15, 2012 - Standards are effective (enforceable)
Who Can Purchase Accessible Seating

- Individuals who need to use accessible seating because:
  - of a mobility disability
  - their disability requires the use of the accessible features that are provided in accessible seating
- Companions

What Type of Tickets are Covered

- Single event tickets
- Series of events tickets
- Season tickets
- Subscription tickets
- Event packages
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Highlights Section 1: Ticket Sales

Wheelchair/companion seats per ADA Design Standards and companion seats required by regulation

- Accessible seating defined
- Equal opportunity to purchase
- Same hours, stages, outlets, methods, terms

On line Ticketing

Highlights Section 2: Identification of accessible seating

Upon request

- Availability
- Location
- Features
- Same level of specificity
- Brochures, maps, etc

What is a “feature” of the accessible seating?
Accessible Features

- Clear floor space
- Dimensions of the space
- Space is on accessible route
  - Shoulder-to-shoulder
  - Same elevation
  - Size, quality, comfort, amenities equal to other seating in area

Highlights Section 3: Ticket Prices

- Available at all price levels
  - Use proportionality
    - Can not be priced higher

Example: 8 wheelchair locations all in the orchestra
Priced proportionally =
  - 4 wheelchair locations at $100
  - 2 wheelchair locations at $50
  - 2 wheelchair locations at $25

BUT .. IF all are in the BALCONY?
...all wheelchair locations are $25

50% of all seats, 100% of all wheelchair locations
25% of all seats
25% of all seats
**Highlights Section 4: Purchase multiple tickets**

- Up to 3 companion seats
  - Contiguous and in the same row
  - If not, then as close as possible
- Same number of tickets
  - As anyone else is allowed to purchase, but only 4 contiguous and in the same row

**Group Sales**

- Seat the group in an area where there is accessible seating so the group is sitting together
  - If possible
  - If not possible - divide group so patrons with disabilities are not completely separated from the group
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Highlights Section 5: Hold and Release

- Three conditions
- All non-accessible seats are:
  1) sold out,
  2) sold out in an area, or
  3) sold out in a price

Venue defines “sold-out”

Reasonable expectation of releasing holds

Series of Event Tickets

- If release accessible locations to person without a disability, that person does not have ownership rights
  - Prevent automatic purchasing for subsequent years
  - Provide person with disability chance to purchase prior to next season
**Highlights Section 6: Transfer tickets**

- Transfer accessible seating to third parties
- Same terms/conditions

No requirement to relocate non-disabled patrons

**Highlights Section 7: Secondary Market**

- Any transaction after initial purchase
- Honor tickets acquired on the secondary market
- Exchange to comparable accessible location

IMPORTANT: If available when presented
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**Highlights Section 8: Prevention of Fraud**

- May not ask for proof of disability
- May ask for verbal attestation when a single event ticket is purchased and a written attestation for a subscription or series of tickets.

Ex: “Do you or a member of your party have a mobility disability or disability requiring the use of the features of the accessible location.”

- May Investigate where there is good cause to believe purchase is fraudulent

**Resources**

U.S. Department of Justice, Civil Rights Division, Disability Rights Section
www.ada.gov
800-514-0301 (voice)

Disability Business and Technical Assistance Centers (DBTAC)
www.adata.org/Static/Home.aspx
800-949-4232 (Voice/TTY)
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### QUESTIONS?

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### Presenters

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