New Ticketing Regulations

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

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 which locs at $100
  - 2 which locs at $50
  - 2 which locs at $25

**BUT ... IF all are in the BALCONY?**
- all wheelchair locs are $25

**50% of all seats, 100% of all wheelchair locs**

**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

**IMPORTANT:** If available at the time of sale

As anyone else is allowed to purchase, but only 4 contiguous and in the same row
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**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

**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
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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

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
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**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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