ADA Audio Conference Series
February 21, 2012

This session is scheduled to begin at
2:00pm Eastern Time

Real-Time Captioning and the PowerPoint Presentation are available through the Webinar Platform. Audio Connection is available through streaming audio and/or telephone only.

Webinar Features – For those connected via webinar platform only

• **Closed captioning** – click CC icon (top of screen) or control-F8 and adjust the captioning screen as needed

• **Customize your view** – choose “View” from the menu bar at the top of the screen and choose the layout you prefer from the dropdown menu.

• **Questions – May be submitted in the Chat Area Text box.** Keystrokes to enter the chat area are Control-M.

• **Emotions/Hand-raising:** Please do not use these features during this session unless directed by the presenter.
ADA & Lodging

Planning a trip:
What you need to know about making hotel reservations

Today’s Agenda

- New ADA regulations and effective dates
- New reservation practices for places of lodging
- Accessible guest rooms: how many are required?
- Other accessibility features at places of lodging?
New ADA Regulations

- Department of Justice has amended its regulations implementing Title III of the Americans with Disabilities Act (ADA)
- Title III applies to commercial facilities and public accommodations, including places of lodging

New Regulations: Effective Dates

- Generally: March 15, 2011
- New reservation practices: March 15, 2012
- New facility standards: March 15, 2012
Places of lodging

- New definition includes hotels, motels, inns, and facilities that
  - Provide sleeping rooms for stays that are primarily short-term in nature (generally 30 days or less) where occupants do not have the right to return to a specific room after their stay; and
  - Provide guest rooms under conditions and with amenities similar to a hotel, motel, or inn, for example
    - On- or off-site management and reservations service
    - Rooms available on a walk-up or call-in basis
    - Availability of housekeeping or linen service

Reservation Practices

- New requirements for hotels, motels, inns, and other places of lodging ensure access for guests with disabilities
Who’s Responsible?

- Requirements cover a public accommodation that owns, leases, leases to, or operates a place of lodging
  - Third-party reservation services not directly covered by these requirements

Reservation Practices: 1

Five basic requirements:

- Individuals with disabilities must be able to make reservations for accessible rooms in the same manner and during the same times as others
  - Telephone
  - In person
  - Third party
Reservation Practices: 2

• Places of lodging must identify and describe accessible features of the hotel and the guest rooms in enough detail that an individual with a disability can independently assess whether the facility will meet his or her needs.

Reservation Practices: 3

• Hold back accessible guest rooms until all other rooms of that type have been rented.
Reservation Practices: 4

• Reserve accessible guest rooms and remove them from the reservation system

Reservation Practices: 5

• Guarantee and hold the specific rooms reserved by individuals with disabilities, regardless of whether specific rooms are held for others
Reservation Practices: Exception

- Reservation practices do not need to comply with the 3rd, 4th, and 5th requirements if related to rooms or units not owned or substantially controlled by the entity that owns, leases, leases to, or operates the overall facility.
  - Individuals must still be able to make reservations for such rooms in the same manner/time as others, and
  - Accessibility features must be identified/described.

Third Parties

- Third party reservation services
  - Covered entities must make reasonable efforts to make accessible rooms available to at least some of these third party services.
  - Covered entities must provide information about accessible features to third party services.
Liability

- Limited liability
  - If covered entities make accessible rooms available to third party services and provide information about accessible features, but the third-party fails to provide the rooms or information appropriately, the covered entity will not be held responsible.
# Accessible Guest Rooms

## How many?

<table>
<thead>
<tr>
<th>Total Number of Guest Rooms Provided in Facility</th>
<th>Number of Access. Rooms without Roll-in Showers</th>
<th>Number of Access. Rooms with Roll-in Showers</th>
<th>Total Number Required Access. Rooms</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – 25</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>26 – 50</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>51 – 75</td>
<td>3</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>76 – 100</td>
<td>4</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>101 – 150</td>
<td>5</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>151 – 200</td>
<td>6</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>201 – 300</td>
<td>7</td>
<td>3</td>
<td>10</td>
</tr>
<tr>
<td>301 – 400</td>
<td>8</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>401 – 500</td>
<td>9</td>
<td>4</td>
<td>13</td>
</tr>
<tr>
<td>501 – 1000</td>
<td>2 percent of total</td>
<td>1 percent of total</td>
<td>3 percent of total</td>
</tr>
<tr>
<td>1001 and over</td>
<td>20, plus 1 for each 100, or fraction thereof, over 1000</td>
<td>10, plus 1 for each 100, or fraction thereof, over 1000</td>
<td>30, plus 2 for each 100, or fraction thereof, over 1000</td>
</tr>
</tbody>
</table>
Table 224.4 Guest Rooms with Communication Features

<table>
<thead>
<tr>
<th>Total Number of Guest Rooms Provided in Facility</th>
<th>Minimum Number of Required Guest Rooms with Communication Features</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – 25</td>
<td>2</td>
</tr>
<tr>
<td>26 – 50</td>
<td>4</td>
</tr>
<tr>
<td>51 – 75</td>
<td>7</td>
</tr>
<tr>
<td>76 – 100</td>
<td>9</td>
</tr>
<tr>
<td>101 – 150</td>
<td>12</td>
</tr>
<tr>
<td>151 – 200</td>
<td>14</td>
</tr>
<tr>
<td>201 – 300</td>
<td>17</td>
</tr>
<tr>
<td>301 – 400</td>
<td>20</td>
</tr>
<tr>
<td>401 – 500</td>
<td>22</td>
</tr>
<tr>
<td>501 – 1000</td>
<td>5 percent of total</td>
</tr>
<tr>
<td>1001 and over</td>
<td>50, plus 3 for each 100 over 1000</td>
</tr>
</tbody>
</table>

Accessible features: which rooms?

- At least one of the mobility-accessible guest rooms shall also be equipped for communication accessibility, *but*
- Not more than 10% of mobility-accessible guest rooms shall be used to satisfy the requirement for communication-accessible rooms
Accessible Features: Communication

- Visual fire alarm signals
- Notification devices
  - Incoming telephone call
  - Door knock or bell
- Telephone
  - Volume control
  - Electrical outlet nearby to facilitate use of TTY
- Vibrating alarm clock

Accessible Features: Mobility

- Doors with at least 32” of clear width
- Lower peep holes
- 36” on each side of the bed (or between two beds)
- Door locks, door handles, and controls that can be operated with closed fist
- Reachable controls and amenities
  - Draperies, heat/air conditioning, light switches, etc.
Mobility Access Features: Bathroom

- Maneuvering space
- Grab bars around toilet and tub or shower
- Tub or shower
  - Bench or seat
  - Hand-held shower spray unit with hose
- Accessible sink
  - Exposed pipes shielded
  - Vanity counter space comparable to non-accessible guest rooms
- Reachable elements and amenities
  - Towel storage, robe hooks, etc.

Questions?

Individuals viewing via webinar platform may submit questions in the Chat Area Text box. Keystrokes to enter the chat area are Control-M.
2010 Standards for Accessible Design

- Lodging built after March 15, 2012 must comply with 2010 Standards, including new sections
  - Laundry facilities
  - Kitchens and kitchenettes
  - Recreation facilities
    - Swimming pools and spas
    - Saunas and steam rooms
    - Exercise facilities
    - Golf courses
    - Boating and fishing facilities
    - Play areas for children

Alterations

- Places of lodging that undergo planned alterations must comply with 2010 Standards to the maximum extent feasible
Existing Lodging Facilities

- Places of lodging built before March 15, 2012
  - Remove architectural barriers when readily achievable
    - “Safe harbor” for elements that comply with 1991 Standards, until such elements undergo planned alterations
    - No safe harbor for elements with new standards
      - Laundry facilities, kitchens, recreational facilities (swimming pools, exercise facilities, golf courses, etc.)

Removing Barriers

- Examples of barrier removal that may be readily achievable
  - Lower high check-in counter, or section
  - Widen doorways
  - Install grab bars
  - Install pool lift
  - Rearrange exercise equipment
Service Animals

- New regulation
  - Dogs only, exception for miniature horse
- Call hotel to inquire about specific concerns such as relief areas
- Cannot ask for deposit for a service animal

Strategies for Success

- Know exactly what you need, for example: room close to elevator, room on first floor, room with accessible tub or roll-in shower, communication features
- Call and talk to specific property (not a central reservation center) to get local information
Ask for What You Need

Examples

- Use of a refrigerator
- Furniture moved
- Hand-held shower unit left in lower position, reachable from seat
- Communication equipment connected

ADAhospitality.org

ADA National Network Initiative

- Promotes access and opportunity for people with disabilities within the hospitality industry, especially in places of lodging and restaurants
Questions?
ADA National Network
1-800-949-4232 Voice/TTY
www.ADAhospitality.org

U.S. Department of Justice
1-800-514-0301 Voice
1-800-514-0383 TTY
www.ada.gov

U.S. Access Board
1-800-872-2253 Voice
1-800-993-2822 TTY
http://access-board.gov

Thank you for participating in today’s ADA-Audio Conference Session

The 2011-2012 Schedule is available on-line

The next scheduled session is:
“No pets allowed: Service Animals and Post Secondary Institutions”
March 20, 2012

Register at: www.ada-audio.org or call 877-232-1990 V/TTY