



ADA Audio Conference Series February 21, 2012

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

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ADA & Lodging

Planning a trip:

What you need to know about making hotel reservations



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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?

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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

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New Regulations: Effective Dates

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

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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

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Reservation Practices

- New requirements for hotels, motels, inns, and other places of lodging ensure access for guests with disabilities



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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

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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



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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



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Reservation Practices: 3

- Hold back accessible guest rooms until all other rooms of that type have been rented



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Reservation Practices: 4

- Reserve accessible guest rooms and *remove* them from the reservation system

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Reservation Practices: 5

- Guarantee and hold the *specific* rooms reserved by individuals with disabilities, regardless of whether specific rooms are held for others

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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

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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

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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

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Questions?

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

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Accessible Guest Rooms

How many?

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Table 224.2 Guest Rooms with Mobility Features

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

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Table 224.4 Guest Rooms with Communication Features

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

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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

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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

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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.

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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.




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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





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Alterations

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

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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.)


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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

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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

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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

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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

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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

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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>

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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

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