






ADA Audio Conference Series
June 19, 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 the webinar platform and/or telephone.



1

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.
- **Sound in Webinar Platform** - If you are “listening” via the webinar platform you can check/adjust your sound settings under “Tools” on the menu bar at the top of the screen and choose “Audio” from the drop down menu and go through the “Audio Wizard”

2

Webinar Features – For those connected via webinar platform only


- **Questions** – May be submitted in the Chat Area Text box. Keystrokes to enter the chat area are Control-M. The moderators will voice your questions to the presenter.
- **Emotions/Hand-raising:** Please do not use these features during this session unless directed by the presenter.

3




**NO PARKING HERE:
Accessible Parking
Requirements and
Enforcement**


4



Today's Agenda

- ADA overview
- Construction, alterations, and existing facilities
 - 2010 ADA Standards
- Enforcement
 - ADA
 - State/local laws
- Questions


5



ADA: Title II

- Title II: State and Local Governments
 - Must comply with ADA Standards for new construction and alterations
 - Must ensure access to programs, services and activities in existing facilities ("program access")

6

 National Network
Association of Colleges and Universities for the
Physically Challenged and Disabled, Inc.

ADA: Title III

- Title III: Public Accommodations
 - Must comply with ADA Standards for new construction and alterations
 - Must remove barriers in existing facilities where it is readily achievable to do so
- Title III: Commercial Facilities
 - Must comply with ADA Standards for new construction and alterations
 - NO requirements related to existing facilities that are not altered

7

 National Network
Association of Colleges and Universities for the
Physically Challenged and Disabled, Inc.

Public Accommodations

- Private entities that own, operate, lease, or lease to a *place* of public accommodation
 - EXEMPT
 - Religious entities
 - Exemption is broad
 - Private membership club
 - Exemption is lost to the extent a private club opens to non-members
 - Twelve types of *places* ...

8


 National Network
Association of Colleges and Universities for the
Physically Challenged and Disabled, Inc.

The Twelve Types

- Lodging
- Food/drink
- Exhibition/entertainment
- Public gathering
- Sales/rental
- Services
- Public transportation terminals (not airports)
- Public display/collection
- Recreation
- Education
- Social service
- Exercise/recreation

9


Commercial Facilities



- Private facilities that are *not*
 - Covered *or* exempted under the Fair Housing Act
 - Aircraft
 - Rail cars
- Examples of what they *are*: factories, warehouses (not open to customers or general public)

10



ADA: Title I



- Title I: Employment
 - No ADA requirements for new construction, alterations (*however*, employers may have obligations under other titles or other laws)
 - **Individualized** reasonable accommodations required

11

Questions?



12

2010 ADA Standards



- New construction
- Additions /alterations
 - Maximum extent feasible
- “Yardstick” for barrier removal, program access
 - Safe harbor for spaces or elements that comply with 1991 Standards

13

Scoping: Section 208



Total Spaces	Accessible Spaces
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201- 300	7
301 - 400	8
401 – 500	9
501 - 1000	2 percent
1001 or more	20, plus 1 for each 100, or fraction thereof, over 1000


14

Medical Facilities



- Hospital outpatient facilities: 10% of patient and visitor parking
- Rehabilitation facilities that specialize in treating conditions that affect mobility and outpatient physical therapy facilities: 20% of patient and visitor parking

15



Residential Facilities

- Residents' parking
 - Where at least one parking space provided for each dwelling unit, at least one accessible space required for each mobility-accessible unit
 - More than one parking space provided per unit, 2% of spaces not addressed by provision above
- Non-residents' parking
 - Basic requirements (scoping: Table 208.2)


16



Van-Accessible Parking


<ul style="list-style-type: none"> • 1991 Standards: <ul style="list-style-type: none"> • Van-accessible: one of every eight accessible spaces 	<ul style="list-style-type: none"> • 2010 Standards: <ul style="list-style-type: none"> • Van-accessible: one of every six, or fraction of six, accessible spaces
---	--

17



New Exemption

- Spaces used exclusively for buses, trucks, other delivery vehicles, law enforcement vehicles, or vehicular impound are not required to include accessible spaces *as long as public-access lots have accessible passenger loading zones*



18

Valet Parking



- **1991 Standards:**
 - Exception for valet parking facilities; accessible spaces *not* required
- **2010 Standards:**
 - NO exception for valet parking facilities; accessible spaces *are* required

19

Parking: Signs



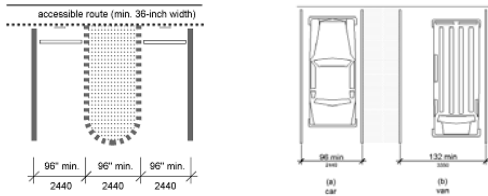
- New exemptions (216.5)
 - Signs not required on sites with four or fewer total parking spaces (including accessible spaces)
 - Signs not required for residential facilities where parking spaces are assigned to specific dwelling units

20


Tech Specs: Section 502



- **1991 Standards:** Van-accessible space has wider *aisle*
- **2010 Standards:** Wider *space* instead of wider *aisle* for van spaces



21

 National Network
American Council on Education
American College of Education

Access Aisles

- Must be marked to discourage parking in them
- Must not overlap vehicular way
- Must connect to accessible route
 - Marked crosswalks recommended where route crosses vehicular way; designs that do not require traveling behind parked vehicles preferred
- Angled van-accessible parking space access aisles must be on passenger side


22

 National Network
American Council on Education
American College of Education

Signs: Height

- New specification for height of signs on accessible parking spaces: 60 inches minimum measured to the bottom of the sign

23


 National Network
American Council on Education
American College of Education

Maintenance

- Required features of accessibility must be maintained (35.133/Title II; 36.211/Title III)
- May reduce/eliminate maintenance in accord with reduced requirements in new Standards
 - Example: may eliminate sign on accessible parking space at facility with four or fewer total spaces (if permitted by state/local requirements!)

24

Questions?



25

EEO National Network
Promoting Diversity and Equality in the
Government and Workplace Act

Dueling Standards

- Must comply with *all* applicable codes, standards, and laws; federal, state, local
 - Follow most stringent standard for each provision



26

EEO National Network
Promoting Diversity and Equality in the
Government and Workplace Act

Enforcement: ADA

- Title II/Title III
 - DOJ (www.ada.gov)
- Title I
 - EEOC/state FEPA (www.eeoc.gov)

27


EEO National Network
Promoting Diversity and Equality in the
Government and Workplace Act


Enforcement: State and Local 

- Obtaining a parking permit
 - State
- Illegal parking
 - Local law enforcement/jurisdiction



28

Questions? 



29




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

The next scheduled session is:

ADA Anniversary Update: 22 Years Later
July 17, 2012

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

30
