Paralyzed Veterans of America

Vacationing and the ADA

Increasing Access for Wheelchair Users

Presented by Danica Gonzalves, Esq., Lee Page, & Susan Prokop

Webinar Process

- Today's webinar will be recorded and available for viewing on PVA.org
- Closed Captioning is available. Click the CC button in the meeting controls bar at the bottom of your screen to turn it on.
- If you have a question, please type it in the Q&A box. Questions will be answered at the end of the program.

Introductions and Agenda

- Introductions
- ADA Overview
  - Danica Gonzalves, Esq., Advocacy Attorney
- Public Transportation
  - Lee Page, Senior Associate Advocacy Director
- Hotels & Restaurants
  - Danica Gonzalves, Esq.
- Sports Stadiums and Ballparks
  - Susan Prokop, National Advocacy Director
- Q&A
  - Moderated by Heather Ansley, Esq., MSW, Associate Executive Director of Government Relations

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is a civil rights law passed in 1990 that prohibits discrimination against individuals with disabilities in all areas of public life.

Title I: Employment
Title II: State and Local Governments
Title III: Public Accommodations
Title IV: Telecommunications
Title V: Miscellaneous

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Public Transportation

Transit Stations

- Accessible parking at transit stations
- Required number of spaces
- Accessible route - path of travel
- Boarding, seating, and positioning on subway, commuter, and Amtrak trains

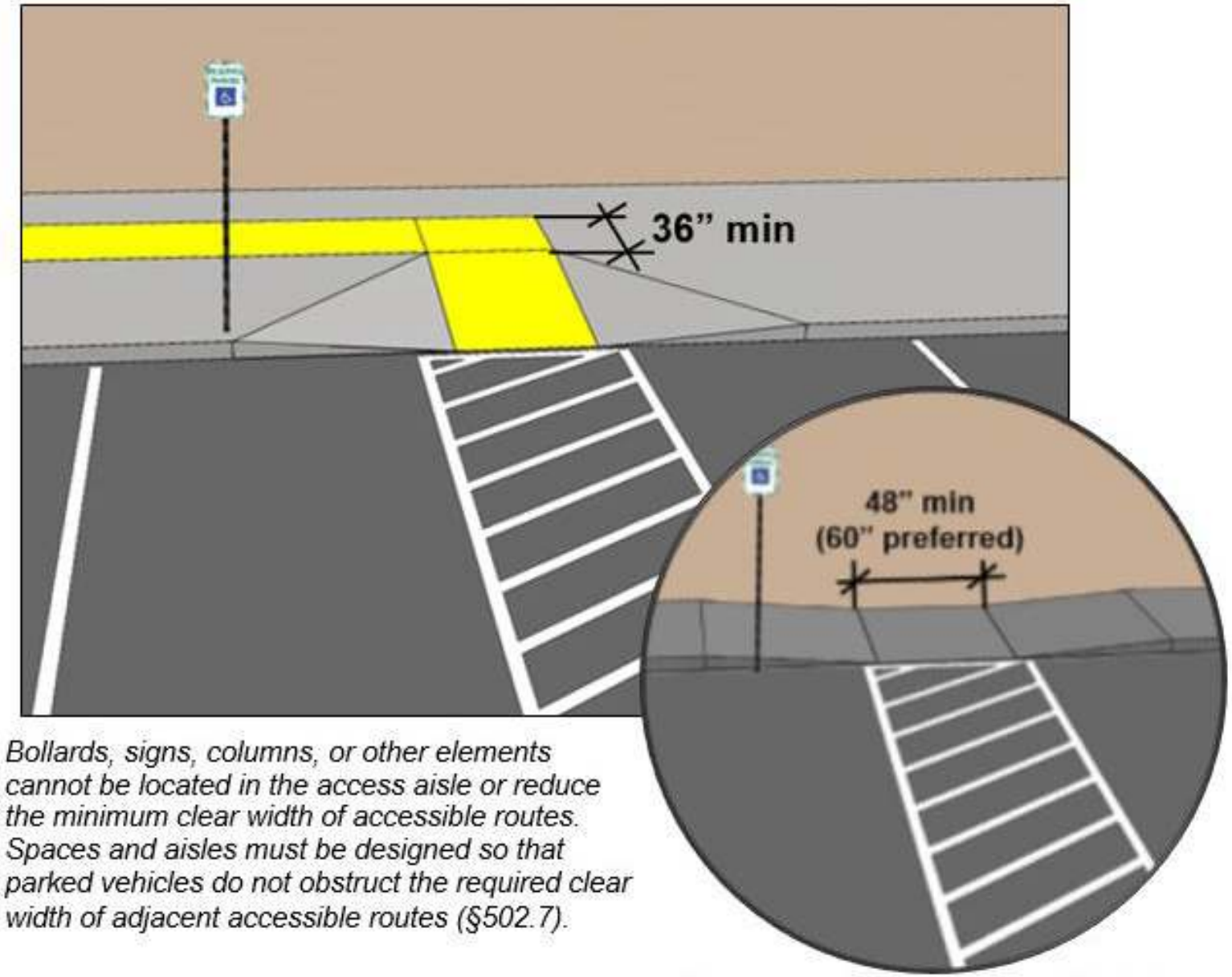
Accessible Parking at Transit Stations

- Transit stations are designed as a multi-modal hub for light and heavy rail mixed with city and long-distance bus service.
- Most transit stations have a “drop off” lane, daily parking, and adjacent long-term parking in a parking deck or garage.
- All facility sites are connected by an accessible path of travel that meets ADA Accessibility Guidelines.

Required Number of Spaces

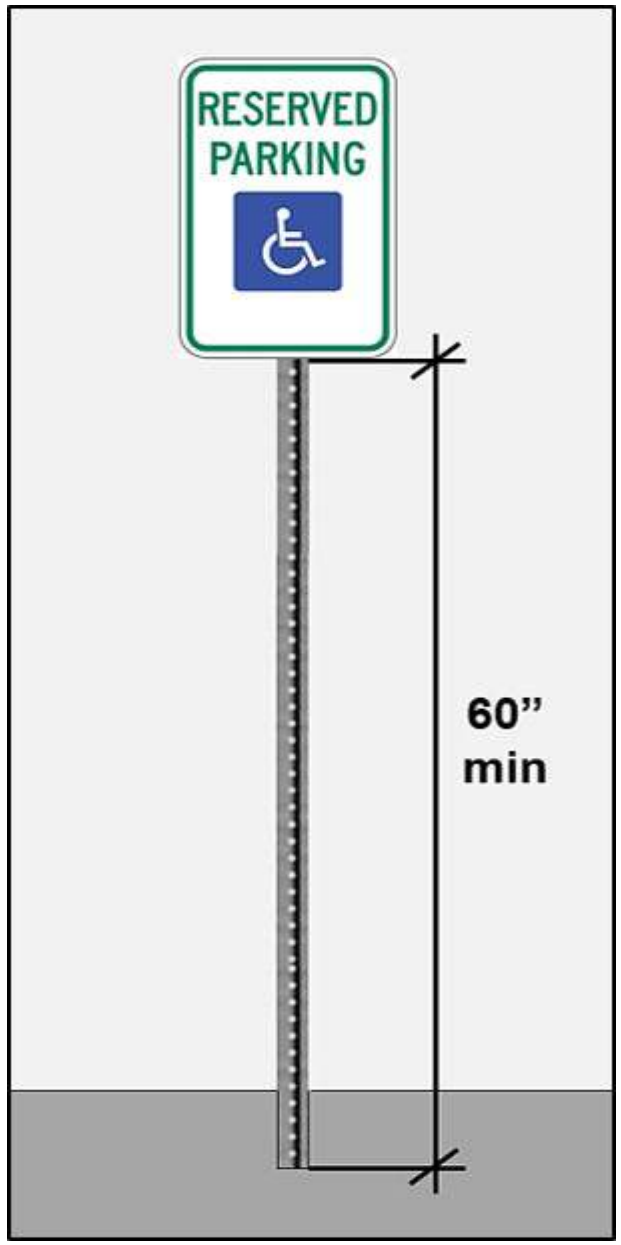
- Accessible parking spaces are required for each parking facility on a site, such as lots and garages.
- The minimum number of accessible spaces must be calculated separately for each parking facility
- At least one of every six accessible spaces, or fraction of six, in each parking facility must be sized to accommodate vans.
- Chapter 5: Parking Spaces (access-board.gov)

Accessible Parking



Bollards, signs, columns, or other elements cannot be located in the access aisle or reduce the minimum clear width of accessible routes. Spaces and aisles must be designed so that parked vehicles do not obstruct the required clear width of adjacent accessible routes (§502.7).

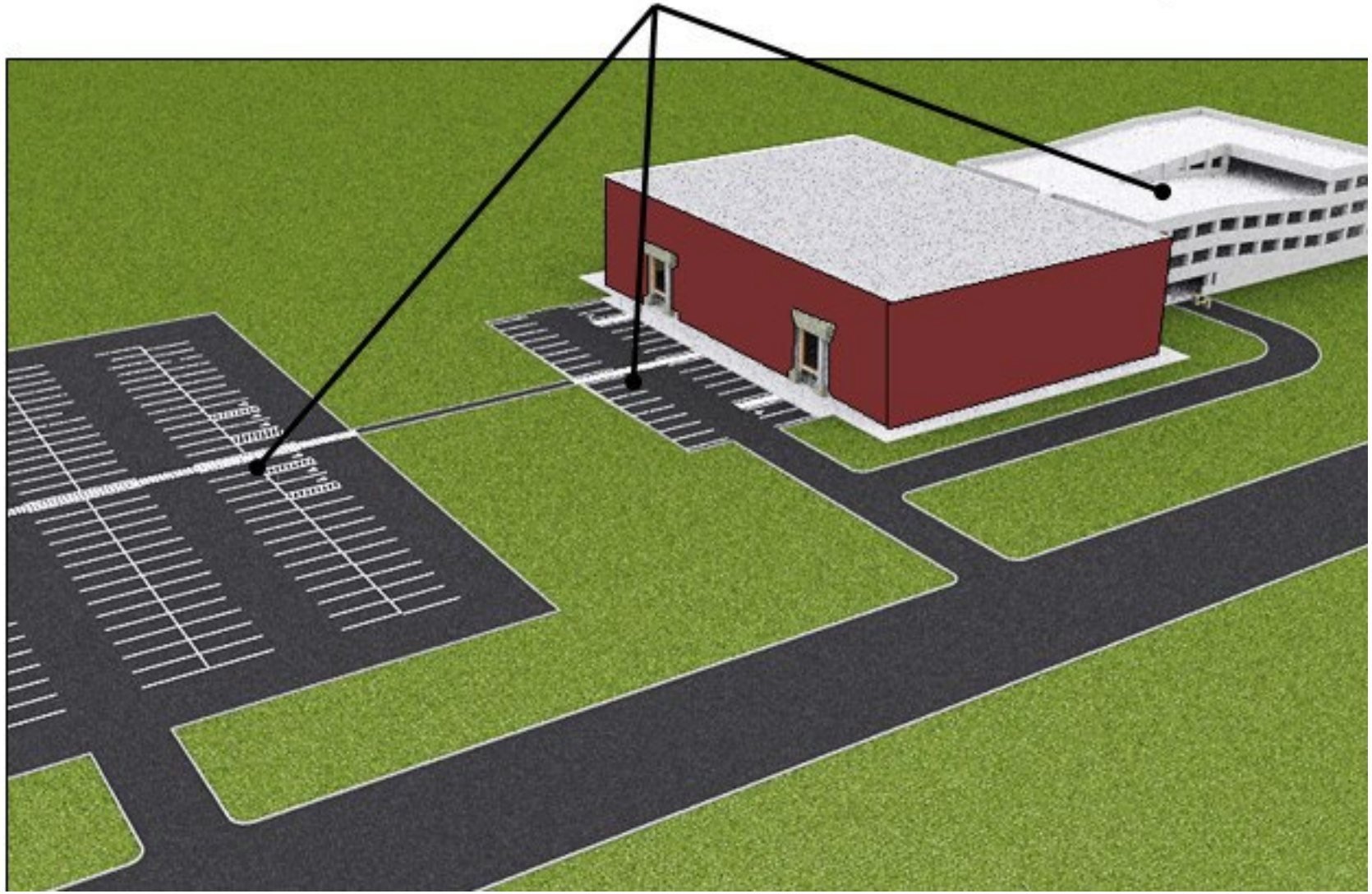
Accessible Parking Signs



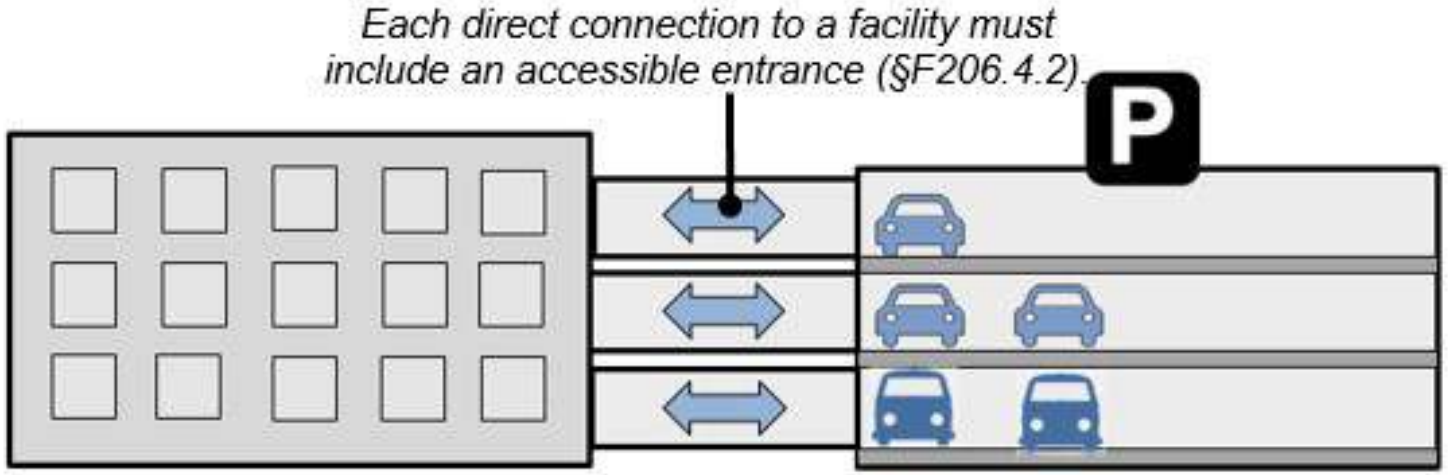
The van accessible designation is informative, not restrictive, in identifying spaces suitable for vans since such spaces are not limited to vans only. It can be included on the main designation sign or provided on a separate sign.

Transit Station

The required number of accessible spaces, including van spaces, is calculated separately for each parking lot and garage on a site. Accessible spaces must be dispersed among accessible entrances and be located on the shortest accessible route to the entrance they serve.



Parking Garage



Dispersing accessible spaces among accessible entrances requires placement of non-van accessible spaces on different levels. All van spaces can be grouped on one level (§F208.3, Ex. 1).

In parking garages that do not serve a particular facility, accessible spaces must be located on the shortest accessible route to an accessible pedestrian entrance of the garage (§208.3).

Accessible Routes

- An accessible route must serve all accessible spaces and elements on an exterior site, including a path of travel from public streets to sidewalks, transportation stops, loading zones - from parking lots, through courtyards, and drinking fountains towards the accessible entrance.
- An accessible route from facility entrances must serve all accessible spaces, including a path of travel to restrooms, drinking fountains, elevators, or other public accommodations within the site like a restaurant or professional office.
- Accessible routes must serve each floor of the facility. Vertical access can be via elevator, ramps, or platform lifts.

Boarding, Seating, and Positioning on Trains

- Level boarding like on the Washington, DC Metro allows a wheelchair user to roll on to the car with limited gap and position themselves in the designated wheelchair spot or accessible seats near the exit.
- Light rail commuter trains with level boarding are the same or depending on the gap, may have designated accessible “cars” that when the doors are open have a platform auto-extender that covers the distance/gap.
- Level boarding for heavy rail such as Amtrak has a platform bridge plate put in place. Non-level boarding requires a platform lift manually operated by staff for access. Accessible seating is adjacent to an accessible restroom in the designated accessible car.

PVA
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Public Accommodations: Hotels, Restaurants, and Sports Stadiums and Ballparks

Public Accommodations

- Places of Public Accommodations
- Modification requirement
- 1991 Standards
  - New construction after January 26, 1993, or
  - Alterations after January 26, 1992
- 2010 Standards
  - New construction or alterations after March 15, 2012
- No public accommodation is “grandfathered” in!
  - Pre-standards: Remove barriers when readily achievable

Hotel ADA Requirements

- Reserving a room
- Number of accessible rooms
- Main entrance
- Check-in desk
- Elevators
- Accessible rooms
- Amenities

Reserving a Room

- Reserve in the same manner
- Describe accessibility features
- Hold accessible rooms
- Guarantee room type
- No additional fees

Number of Accessible Rooms

- Depends on the year the hotel was built or altered
- At least one must be accessible
- Not all rooms are required to have roll-in showers
- Only required to have roll-in showers if 51+ rooms

Main Entrance

- Connected to public areas
- Doorway width
- Maneuvering space
- Door hardware easily usable
- Chapter 4: Entrances, Doors, and Gates (access-board.gov)

Check-in Counters

- On an accessible route
- Accessible with forward or parallel approach
- Knee clearance for forward approach
- Sales and Service Counters Animation (access-board.gov)

Elevators

- On an accessible route
- Not required if 1-2 stories or less than 3,000 ft per story
- Doorway clearance
- Opening time
- Call buttons reachable
- Chapter 4: Elevators and Platform Lifts (access-board.gov)

Accessible Rooms

- Front door
- Flooring
- Furniture spacing
- Hotel bed height
- Controls
- Chapter 3: Operable Parts (access-board.gov)

Accessible Bathrooms

- Clear floor space
- Roll-in showers
- Bathtubs
- Toilet
- Grab bars
- Towels
- Sink, mirrors, dispensers
- Chapter 6: Bathing Rooms (access-board.gov)

Accessible bathroom with toilet, roll-in-shower, sink, and dispensers

Amenities

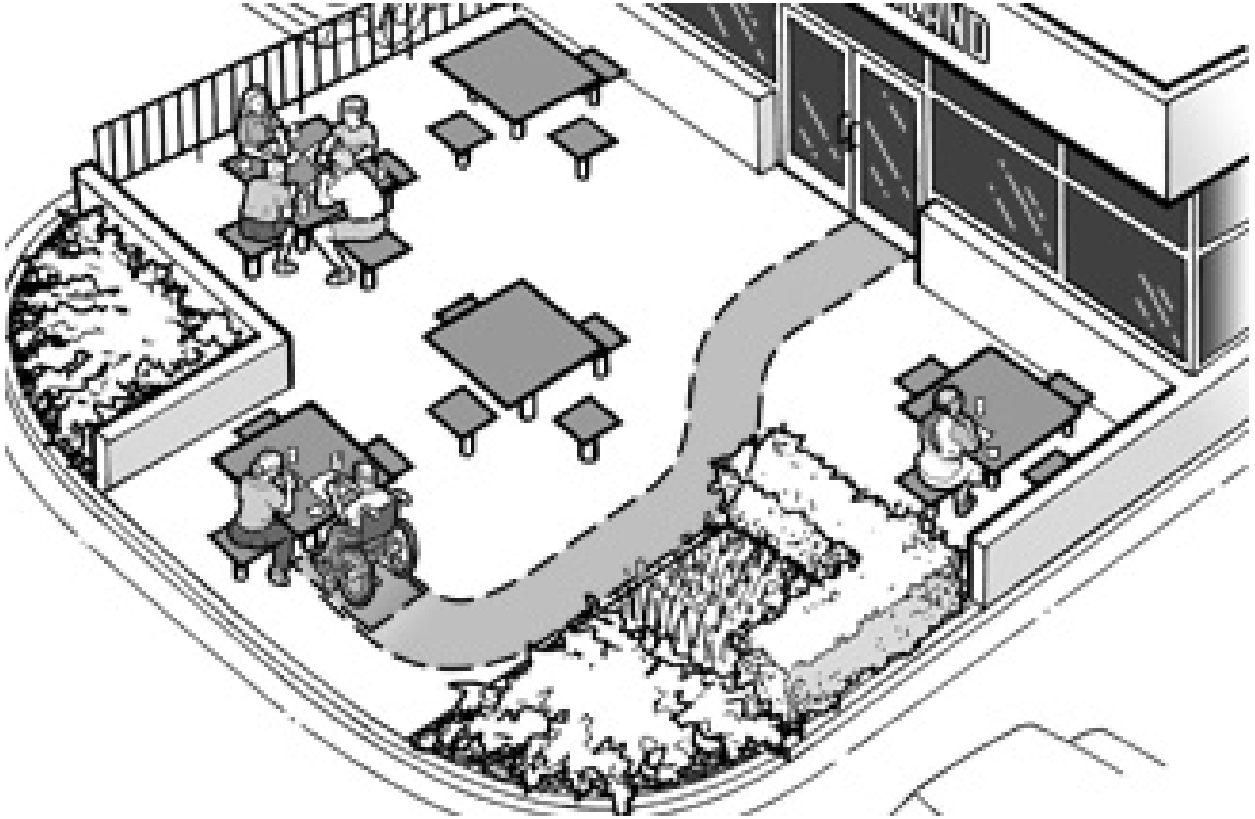
- On accessible routes and accessible
- Gyms
  - Each type accessible
- Pools and spas
  - Accessible entries
- Conference room
- Business center
- Accessible Lodging Factsheet (adata.org)
- Chapter 10: Swimming Pools, Wading Pools, and Spas (access-board.gov)

Hotel Restaurant ADA Requirements

- Path of travel
- Seating
- Breakfast bars

Path of Travel

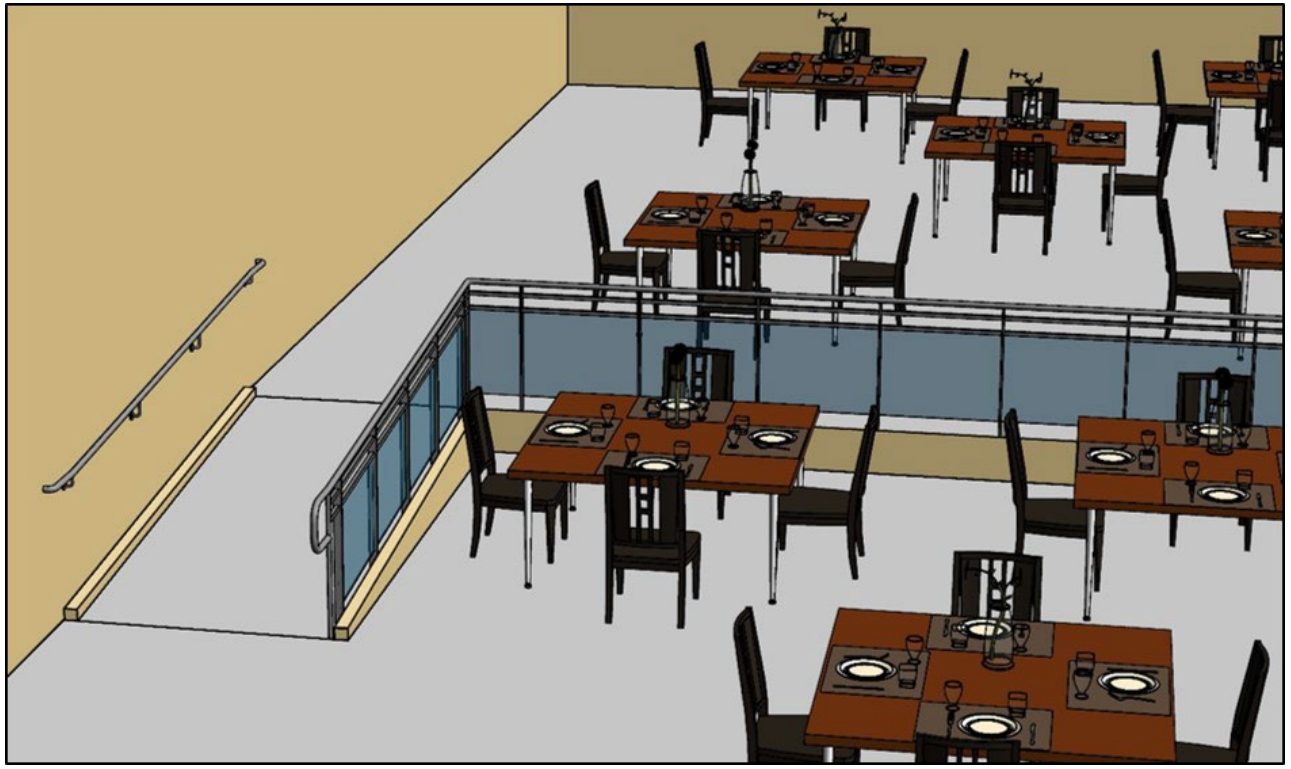
- Accessible entrance
- Accessible routes
- Clear floor space
- [Food Service Factsheet (adata.org)]



Restaurant outdoor dining area showing an accessible table with a wheelchair user and an accessible path to the table

Seating

- Dining areas
  - Must be accessible, or
  - Offer same service
- Fixed tables
  - Five percent accessible
- Table tops
  - Wheelchair height
- Knee clearance
- Clear floor area around table



Restaurant dining area with a ramp on the left side going to an upper dining area

Breakfast Bars

- Approachable and reachable
- Clear floor space
- Forward and side reaches, obstructed or unobstructed
- Counter height
- Self-service condiment and utensil counter heights

Wheelchair user accessing self-serve condiment and utensil counter with side reach

Stadium and Ballpark ADA Requirements

- Buying a ticket
- Ballparks and stadiums
- Getting into and around the stadium
- Seating
- Concessions
- Restrooms

Buying a Ticket

- Venues must sell tickets for accessible seats in the same manner and under the same conditions as all other ticket sales.
- Cannot charge higher prices for accessible seats than for non-accessible seats in the same seating section.
- ADA Requirements: Ticket Sales (ada.gov)

Laptop with hands holding credit card to buy tickets

Ballparks and Stadiums

- New stadiums must be accessible to people with disabilities
  - At least one percent of the seating must be wheelchair seating locations.
  - Whenever more than 300 seats are provided, wheelchair seating locations must be provided in more than one location.
- Accessible Stadiums (ada.gov)

Wheelchair users at a stadium with view of the field

Getting Into and Around the Stadium

- Accessible Parking Spaces
- Accessible Drop-Off and Pick-Up Areas
- Curb ramps must be provided if the drop-off area is next to a curb.
- Accessible Entrances
- Accessible Routes
- Chapter 4: Accessible Routes (access-board.gov)

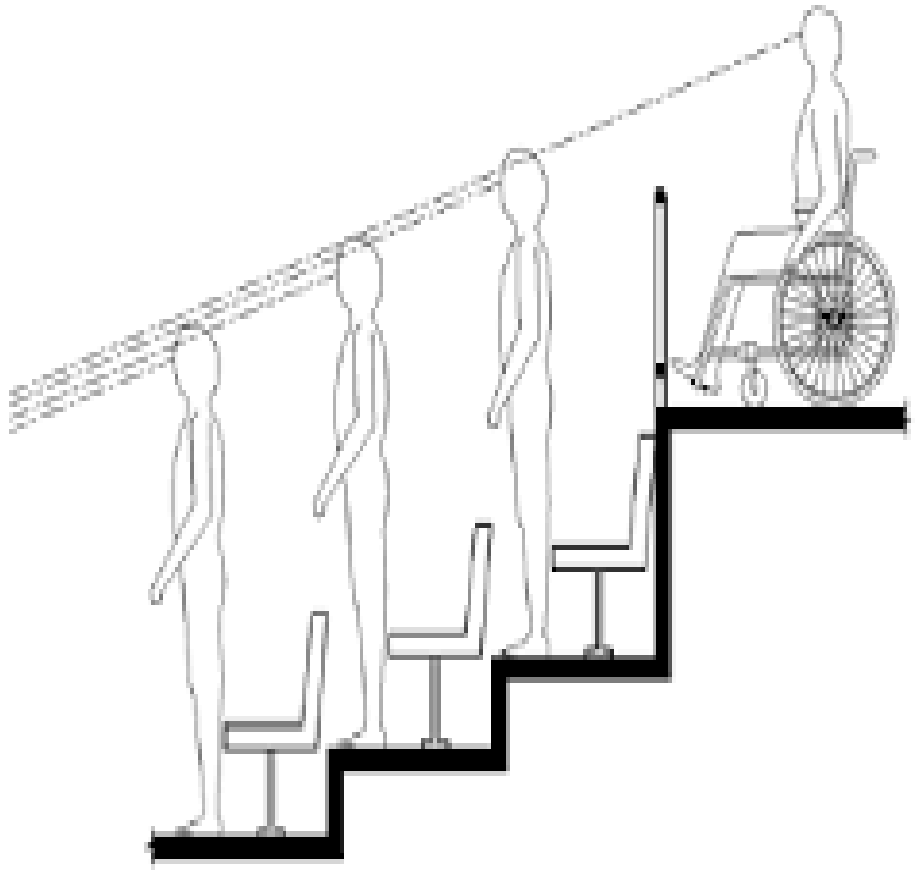
Seating

Standing spectators at a stadium obstructing a wheelchair user's line of sight

802 Wheelchair Spaces, Companion Seats, and Designated Aisle Seats (ada-compliance.com)

Seating

802.2.2.1 Lines of Sight Over Heads. Where standing spectators are provided lines of sight over the heads of spectators standing in the first row in front of their seats, spectators seated in wheelchair spaces shall be afforded lines of sight over the heads of standing spectators in the first row in front of wheelchair spaces.

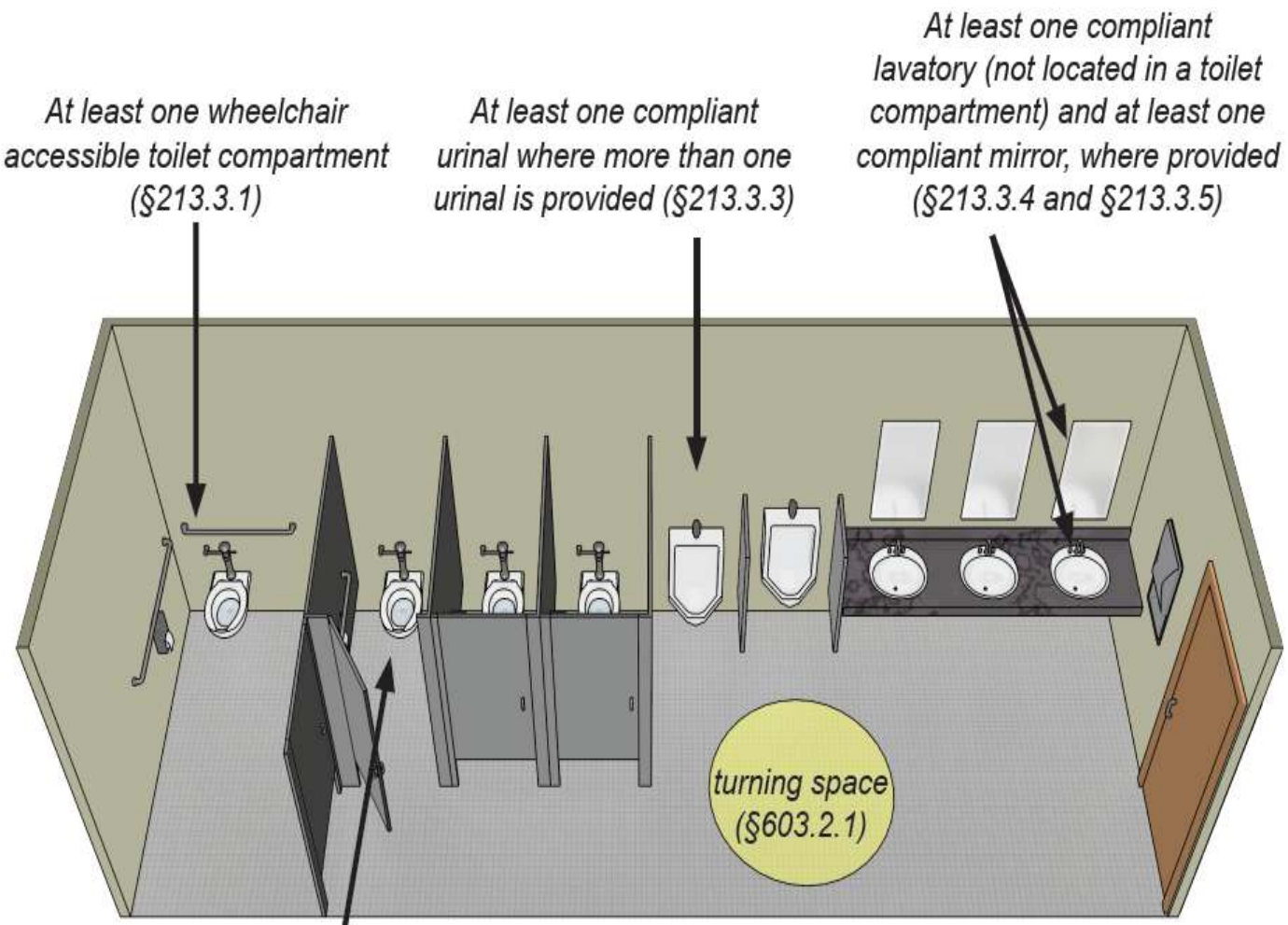


Stadium seating with four levels. First three levels show spectators standing. Fourth level is an individual in a wheelchair with line of sight over standing spectators' heads.

Concessions

- All concessions, including food service areas, restaurants, and souvenir stands, must be accessible.
- For example, lowered counters must be provided where goods are provided and where cash registers are located. Condiments and self-serve food items must be provided within reach of a person using a wheelchair.
- Concession counters: Sales and Service Counters (ada.gov)

Restrooms


At least one wheelchair accessible toilet compartment (§213.3.1)
At least one compliant urinal where more than one urinal is provided (§213.3.3)
At least one compliant lavatory (not located in a toilet compartment) and at least one compliant mirror, where provided (§213.3.4 and §213.3.5)
turning space (§603.2.1)
At least one ambulatory accessible toilet compartment in restrooms with at least 6 toilet compartments or where the combined total of toilets and urinals is at least 6 fixtures (§213.3.1)
Dispensers, receptacles, and other operable parts must comply where provided (§205)

ADA Enforcement

- Individual advocacy
- File a complaint with the local office
- State and Local Transportation
  - Department of Transportation, Office of Civil Rights
  - Download the complaint form and send via mail or email
  - File a Complaint with FTA (transit.dot.gov)
- Place of Public Accommodation (hotel, restaurant, stadiums and ballparks)
  - Department of Justice, Civil Rights Division
  - File a complaint online, or download form and send via mail or fax
  - File a Complaint (ada.gov)
- File a lawsuit under the ADA

Resources

- ADA Centers – Regional Map - Find Your Region (adata.org)
- Mid-Atlantic ADA Center Guidance, training, and materials on the ADA - 800-949-4232 (DE, DC, MD, PA, VA, WV), 301-217-0124, ADAinfo.org
- National Disability Rights Network – NDRN.org – NDRN is an organizations with Protection and Advocacy (P&A) Systems and Client Assistance Programs (CAP) in each state and territory.
- PVA – PVA.org
  - ADA Resources: PVA.org/ADA

Questions?

Contact Information:

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Questions and Answers

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Thank you!