



Disability Rights *online* News

DEPARTMENT PROPOSES CHANGES IN ADA REGULATIONS AND DESIGN STANDARDS

On June 17, 2008, the Department published a Notice of Proposed Rulemaking (NPRM) on proposed amendments to its regulations implementing titles II and III of the ADA. The proposed amendments will make changes in the existing ADA Standards for Accessible Design to provide greater consistency among ADA requirements, other federal and state accessibility requirements, and model building codes. The changes also address specific types of designs not included in the Department's original ADA Standards, including certain public facilities such as courtrooms and an array of recreation facilities including playgrounds, swimming pools, amusement parks, and golf courses.

In addition to changing and expanding the ADA Standards, the proposed amendments will address and clarify many regulatory issues that have arisen over the years since the ADA was implemented. The NPRM raised a number of questions designed to encourage public input on topics the Department intends to address, including:

- requirements for ensuring that people who are deaf or hard of hearing can receive and convey vital information in medical settings;
- requirements for ensuring that accessible hotel rooms may be reserved and guaranteed to the same extent as other guestrooms in the facility;
- requirements for ensuring that accessible seating in public venues remains available for purchase by people with disabilities until all other seating is sold out;

- rules regarding the use of service animals by people with disabilities, highlighting that a service animal must be a dog or other common domestic animal that is trained to perform specific tasks to assist its owner;
- whether, and in what settings, new devices such as Segways may be used as mobility devices; and
- whether building elements that comply with the current ADA Standards are required to be modified to meet the new design standards.

The NPRM, the proposed ADA Standards, the Department's Regulatory Impact Analysis, and a transcript of the July 15 hearing are available on the ADA Website at www.ada.gov/NPRM2008/ADAnprm08.htm.