



STATEWIDE'S EDGE

Giving public entities the edge on addressing their safety issues

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STATEWIDE INSURANCE FUND LOSS CONTROL FACT SHEET - #2010-06 The Department of Justice Issues Revised ADA Regulations for Title II and III

On July 26, 2010, during the 20th anniversary celebration of the Americans with Disabilities Act, President Obama announced the US Department of Justice has issued final regulations revising Title II (which applies to public entities) and Title III (which applies to public accommodation and commercial facilities), including the ADA Standards for Accessible Design.

The announcement completes a years-long process to develop these regulations which have had a very significant impact on how public facilities including parks and recreation has addressed public access for persons with disabilities since 1993.

SUMMARY OF CHANGES:

The rule will become effective six months after publication in the Federal Register. Eighteen months after publication, compliance with the 2010 Standards will be required for new construction and alterations. In the period between the effective date and the compliance date, covered entities may choose between the 1991 Standards and the 2010 Standards. Covered entities that should have complied with the 1991 Standards during any new construction or alteration of facilities or elements, but have not done so by 18 months after the date of publication of the final rule, must comply with the 2010 Standards.

New rules established provide guidance on ticketing for events, service animals, wheelchairs and other power-driven mobility devices, effective communication, residential housing provided by public entities, judicial, detention and correctional facilities.

Information will also be made available on requirements for playgrounds, golf courses, fitness facilities, aquatic facilities, and boating and fishing areas.

The Final Rules, Fact Sheets and Analysis are available on the DOJ web site:

<http://www.ada.gov/regs2010/ADAREgs2010.htm>

The National Recreation and Parks Association (NRPA) will offer 3 dynamic webinars in September to highlight key changes and additions to help you understand, adopt, and enforce the new regulations.

Title: The New ADA: Overview of the Top Ten Issues and Key Policy and Implementation Triggers

Date: September 2, 2010

Title: The New ADA: Overview of the Playgrounds and Golf Requirements

Date: September 16, 2010

Title: The New ADA: Overview of the Requirements for Fitness Facilities, Aquatics Facilities, and Boating and Fishing Areas

Date: September 30, 2010

For more information on the webinars visit <http://www.nrpa.org/webinars/>.

Visit <http://www.nrpa.org/webinars/> for the Summary of Changes.

Visit <http://www.whitehouse.gov/the-press-office/remarks-president-20th-anniversary-americans-with-disabilities-act> for remarks by the President.

The Final Rules, Fact Sheets and Analysis are available at <http://www.ada.gov/regs2010/ADAregs2010.htm>.

For additional information, contact Statewide's Edge at 732-446-5958.