

## Revised ADA Standards for Accessible Design Go Into Effect

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The Justice Department [announced](#) that the new ADA Standards for Accessible Design (“[Standards](#)”) went into effect last Thursday, March 15. The Standards were adopted as part of the 2010 revisions to the ADA regulations. The new requirements will provide accessibility for more than 54 million persons with disabilities at facilities subject to Title II of the ADA (state and local government buildings) and Title III of the ADA (public accommodations and commercial facilities).

**The 2010 Standards create new accessibility requirements for courtrooms, amusement rides, marinas and boating facilities, golf courses, swimming pools, and recreational play areas. Many of the changes require that facilities be on a wheelchair accessible route, while other revisions create minimum percentages of amenities that must be fully accessible to disabled persons, including miniature golf holes, boat launch ramps, and exercise equipment.** The new Standards also clarify the necessary sightlines in assembly areas, change the reach requirements for accessible access from wheelchairs, and create additional areas that must have clear floor space for wheelchairs.

The most onerous and technical requirements apply to new construction and alterations to existing accommodations, but the Standards require that all existing facilities, even those that are not modified or altered, remove barriers to accessibility when the removal is readily achievable.

The new Standards provide a safe harbor for elements that were required under and comply with the 1991 Standards. There is no safe harbor from new requirements, though, if the 1991 Standards did not previously establish guidelines.

The new Standards require all existing pools that are open to the public to either provide a sloped entry or install a mechanical chair lift. Because the 1991 Standards were silent on pool accessibility, there is no safe harbor available for public pools, and all such facilities must comply. In light of the cost and time required to make such large scale alterations, [however, the Justice Department extended by 60 days the date of compliance for facilities to provide accessible entry to swimming pools, wading pools, and spas, and is contemplating further extending the date of compliance.](#)

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