



National Network

Information, Guidance and Training on the
Americans with Disabilities Act

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1-800-949-4232 V/TTY

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Accessible Lodging

The Department of Justice (DOJ) has issued revised ADA regulations under Title III, which covers many types of private businesses, or “places of public accommodation.” Many of these revisions apply to Places of Lodging such as new requirements for reservation systems, and revised and new standards for facility access [28 C.F.R. §§ 36.104, 36.302(e), 36.406(c)].

Definition: What is a “Place of Lodging”?

Places of lodging include:

- traditional hotels
- motels
- inns
- other facilities that offer sleeping rooms for short-term stays (generally 30 days or less) and that meet certain conditions (for more information see ADA Title III Regulations, Section 36.104 Definitions: http://www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm).

Any entity that owns, operates, leases, or leases to such a place is covered by the regulations. Facilities that contain no more than five rooms for rent and where the proprietor actually resides are exempt.

Revised and New Standards for Buildings and Facilities

The 2010 ADA Standards for Accessible Design include revised and new minimum requirements for newly and constructed or altered facilities so that they are accessible to and usable by individuals with disabilities.

- Revised standards that apply to places of lodging include requirements for the number of accessible guest rooms providing mobility and communication features and there is also a requirement that these accessible rooms be dispersed among all categories or classes of guest rooms available in the facility.
- New standards that apply to places of lodging also cover requirements for accessible swimming pools and spas, exercise facilities, saunas and steam rooms, golf and miniature golf courses, boating and fishing facilities, and playgrounds for children.

Newly designed and constructed places of lodging must comply with the new 2010 ADA Standards, and alterations must comply to the maximum extent feasible. Barriers must be removed to the extent that is readily achievable in existing facilities that do not comply with the original 1991 ADA Standards.

For those existing elements of a facility that were constructed or altered in compliance with the 1991 ADA Standards, no changes are necessary even if the new 2010 ADA Standards have different requirements for those elements. This situation is referred to as “safe harbor.” Safe harbor does not apply to those elements of a facility, like swimming pools, saunas and playgrounds that were not



covered in the 1991 ADA Standards. However, when an alteration is performed, it must comply with the new 2010 ADA Standards. In those occasional cases where the nature of the facility makes full compliance with the 2010 ADA Standards virtually impossible, the alteration must provide the maximum amount of physical accessibility that is feasible.

For further information of the 2010 ADA Standards, go to http://www.ada.gov/2010ADASTandards_index.htm

Reservation Systems Requirements for Places of Lodging

- Places of lodging must identify and describe the accessible features of the property and the accessible guest rooms in enough detail to enable an individual to decide if the facility will meet his or her needs. Information, including photos or other images, may be posted on websites or included in brochures or other materials.
- People with disabilities must be able to make reservations for accessible guest rooms during the same hours and in the same ways that other people are able to make reservations, such as by telephone, in person, email, via websites, or through third parties such as travel agents or online reservations services.
- Places of lodging must provide accessible rooms to at least some of the third parties (travel agents or online reservation services), and provide these third parties with information about the accessible features of the facility and the guest rooms.
- Customer service staff must be trained to respond to specific inquiries about the features of the facility, including accessible routes to and through the facility; details about the configuration of accessible guest rooms and bathrooms; the availability of accessibility equipment or features such as bath benches, or visual alarm and alert devices for guests who are deaf or hard of hearing; and the accessibility of common spaces such as meeting rooms, lounges, restaurants, swimming pools, or fitness centers.
- Accessible guest rooms must be held back until all other rooms of that type have been rented.
- When a reservation is made for an accessible guest room, the specific accessible guest room reserved must be held for the reserving customer and the room must be removed from the reservation system.

To improve accessibility of places of lodging hotel staff should be trained on:

- General ADA regulations.
- Accessibility features available for guests.
- The use of respectful language and practices for guests with disabilities.
- Effective communication practices that would benefit guests who are deaf or hard of hearing.
- Hotel policies addressing use of service animals.

For more information, call and speak to an ADA specialist at **1-800-949-4232**. All calls are confidential.



Resources

Hospitality and Disability Initiative, Mid-Atlantic ADA Center

<http://www.adahospitality.org/>

Find materials, resources, and training to help hospitality businesses reach and serve customers with disabilities.

U.S. Department of Justice

www.ada.gov

Find the regulations for Title III/public accommodations, the 2010 ADA Standards for Accessible Design, and a variety of technical assistance materials.

U.S. Access Board

www.access-board.gov

Find the ADA Standards along with technical assistance materials, including design guides for recreational facilities.

Content was developed by the Mid-Atlantic ADA Center and the Northwest ADA Center, and is based on professional consensus of ADA experts and the ADA National Network.



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This information product was developed under grants from the Department of Education, NIDRR grant numbers H133A110014, H133A110015 and H133A110017. However, the contents do not necessarily represent the policy of the Department of Education, and you should not assume endorsement by the Federal Government.



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