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Access to Airports by Individuals with Disabilities

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CONTENTS

Chapter 1. Introduction 1-1

 1.1 Basis..... 1-1

 1.2 Legal Requirements. 1-1

 1.3 Architectural Standards..... 1-4

 1.4 Related Reading Material. 1-4

 1.5 Technical Assistance..... 1-5

 1.6 Definitions..... 1-5

Chapter 2. Basic Regulatory Requirements of the ADA, Section 504, and the ACAA 2-1

 2.1 Overview..... 2-1

 2.2 Administrative Requirements. 2-2

 2.3 Employment..... 2-4

 2.4 Program Accessibility..... 2-4

 2.5 Physical Accessibility..... 2-5

 2.6 Communications..... 2-7

 2.7 Vehicle and Transportation Systems Accessibility..... 2-8

 2.8 Aircraft and Air Carrier Facility Accessibility. 2-9

 2.9 Conditions Not Considered Disabilities..... 2-11

Chapter 3. Technical Assistance 3-1

 3.1 FAA Office of Civil Rights and the Airport Disability Compliance Program Staff. ... 3-1

 3.2 Non-discrimination Legislation. 3-1

 3.3 Accessibility Standards..... 3-1

 3.4 Disability/Accessibility Organizations. 3-2

Chapter 4. Transition Plans 4-1

 4.1 Transition Plan Standards. 4-1

 4.2 Existing Facilities..... 4-1

 4.3 Periodic Reviews. 4-1

Chapter 5. Overview of Architectural Barriers Act 5-1

 5.1 Architectural Barriers Act (ABA)..... 5-1

Appendix A. Guidelines for Service Animal Relief Areas (SARA) A-1

Appendix B. Acronym Descriptions.....B-1
Appendix C. Notice of Unlawful Discrimination PosterC-1

FIGURES

Number	Page
Figure A-1. Example - Number of SARAs.....	A-4
Figure A-2. Example SARA Signage	A-6

TABLES

Number	Page
Table 2-1. Summary of Regulatory Requirements	2-1

Chapter 1

CHAPTER 1. INTRODUCTION

1.1 Basis.

This AC is based on federal regulations and standards. The architectural standards, in many instances, also have been published as regulations or appendices to those regulations, or have been established as requirements through regulatory action. The architectural standards, including those published as regulations, are listed in Paragraph 1.3 of this AC. Other federal regulations dealing with requirements under the accessibility statutes that serve as basis for this AC appear in Paragraph 1.2. In some cases, more than one regulation, and hence more than one standard, may apply. In such instances, if there is a difference among regulations and standards, the more stringent requirement applies.

1.2 Legal Requirements.

The following were used as a basis for this AC:

1.2.1 Rehabilitation Act (RA).

1.2.1.1 This AC covers only the airport's responsibilities under Section 504 of the RA (Section 504), as it applies to FAA financial assistance programs. Section 504 prohibits discrimination against any qualified individual with a disability solely by reason of his or her disability in any program or activity receiving federal financial assistance or under any federally conducted program or activity. Section 504 applies to services, programs, and activities provided by recipients of federal financial assistance, either directly or through contractual, licensing, or other arrangements. It also covers employment and physical accessibility. To be in compliance with Section 504, recipients must also comply with all applicable regulations under the ADA, focusing on six major CFR parts. These are:

- 29 CFR part 1630, Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act,
- 9 CFR part 1640, Procedures for Coordinating the Investigation of Complaints or Charges of Employment Discrimination Based on Disability Subject to the Americans with Disabilities Act and Section 504 of the Rehabilitation Act Of 1973,
- 28 CFR part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services,
- 28 CFR part 36, Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities,
- 49 CFR part 37, Transportation Services for Individuals with Disabilities (ADA), and

- 49 CFR part 38, Americans With Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles.

1.2.1.1.1 Department of Transportation (DOT) Final Rule, 49 CFR part 27, Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.

This final rule implements Section 504 of the RA of 1973.

1.2.1.1.2 DOT Final Rule, 49 CFR part 37.

This part was amended to make it compatible with ADA requirements, and makes compliance with Section 504 of the RA dependent upon compliance with the requirements of the ADA. It also clarifies that the Section 504 requirements apply to private parties receiving federal financial assistance, as well as to public entities receiving such assistance. Finally, it clarifies that entities subject to 49 CFR part 37, implementing the ADA, must utilize the design, construction, and alteration standards in Appendix A of 49 CFR part 37.

1.2.1.2 **Air Carrier Access Act (ACAA). DOT Final Rule, 14 CFR part 382, Nondiscrimination on the Basis of Disability in Air Travel.**

This final rule implements the ACAA of 1986. The ACAA provides that no U.S. or Foreign air carriers may discriminate against any otherwise qualified individual with a disability, by reason of such disability in the provision of air transportation. The ACAA covers aircraft accessibility; airport facilities that carriers own, lease, operate, or otherwise control (similar regulations are under 49 CFR part 27); and issues related to provision of services, such as refusal of service, seat assignments, stowage of personal equipment, boarding and deplaning, accommodations, service animals, etc. DOT's regulation implementing the ACAA is found in 14 CFR part 382, which was amended to apply to foreign carriers, effective May 13, 2009.¹

1.2.1.3 **Americans with Disabilities Act (ADA).**

The ADA is the first federal statute to protect individuals from discrimination based on disability regardless of whether they are seeking employment or access to services from a public or private entity or from an agency that receives federal financial assistance. The ADA guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications. It extends comprehensive civil rights protection to individuals with disabilities. The ADA has five separate titles, which are briefly described below.

¹ Some ACAA provisions overlap with those of 49 CFR part 27, as discussed in Chapter 2.

- 1.2.1.3.1 Title I - Employment – 29 CFR part 1630, Regulations to Implement the Equal Employment Provisions of the ADA; 29 CFR part 1602, Recordkeeping and Reporting Requirements under Title VII, the ADA and GINA (Genetic Information Nondiscrimination Act), and 29 CFR part 1627, Records to Be Made or Kept Relating to Age: Notices to Be Posted.

These rules were issued by the Equal Employment Opportunity Commission (EEOC). Title I prohibits discrimination in employment on the basis of disability.

- 1.2.1.3.2 Title II - Services, Programs, and Activities.

Title II prohibits discrimination on the basis of disability by public entities. Public entities include (1) any state or local government; and (2) any department, agency, special purpose district, or other instrumentality of a state or states or local government.

1. Subtitle A - State and Local Governments, 28 CFR part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services. Title II, Subtitle A applies to all services, programs, or activities made available by a public entity, regardless of whether it receives federal financial assistance. This rule was issued by the Department of Justice (DOJ).
2. Subtitle B - Transportation Provided by Public Entities, 49 CFR parts 27, 37, and 38, regarding transportation for individuals with disabilities. An airport owned by a public entity is required to comply with only those provisions of 49 CFR parts 37 and 38 pertaining to designated or fixed route public transportation systems, found in Sections 37.33(a) and (b). This rule was issued by the DOT.

- 1.2.1.3.3 Title III - Places of Public Accommodation by Private Entities, 28 CFR part 36.

This rule was issued by DOJ. Title III of the ADA addresses public accommodations, defined generally as private entities that affect commerce. Privately owned airports and airport facilities operated by concessionaires are subject to Title III of the ADA and DOJ regulations in 28 CFR part 36. However, even though a concessionaire is not subject to Title II, the airport is responsible to ensure that its lessees operate their businesses in a manner which allows the airport to meet its Title II obligations. DOT regulations in 49 CFR parts 37 and 38 also cover Title III. Taxi service providers operating at an airport and private jitney or shuttle service between an airport and the surrounding area are subject to 49 CFR Sections 37.5, 37.29, and 37.33(c). Transportation services provided by hotel and car rental concessionaires are subject to 49 CFR part 37 (see 49 CFR Section 37.37(b)).

1.2.1.3.4 Title IV.

Title IV of the ADA addresses telecommunications. This AC does not address any responsibilities under Title IV, since Title IV addresses the responsibilities of telecommunications providers, e.g., Telecommunications Services for Hearing-Impaired and Speech-Impaired Individuals. (47 U.S.C. § 225).

1.2.1.3.5 Title V.

Title V of the ADA addresses a number of miscellaneous matters, including the provision giving the United States Architectural and Transportation Barriers Compliance Board (ATBCB – commonly known as Access Board) the authority to issue minimum guidelines and requirements for accessible design for facilities covered by Titles II and III of the ADA. Under that authority, this independent federal agency promotes equality for people with disabilities through accessible design, and accessibility guidelines and standards. These guidelines, when adopted and modified, as needed, by standards-setting agencies like the DOT and DOJ are called Architectural Standards.

1.3 Architectural Standards.

The following architectural standards were used as a basis for this AC:

1.3.1 Americans with Disabilities Act ADA Standards for Accessible Design.

The ADA standards are issued by DOJ and DOT, and apply to facilities covered by the ADA in new construction and alterations. DOJ's standards apply to all facilities covered by the ADA, except public transportation facilities, which are subject to DOT's standards. Both standards are very similar and are closely based on the Board's ADA Accessibility Guidelines (ADAAG). However, each contains a few unique provisions, which are included in the 2010 edition of the standards. See <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards>.

1.3.2 Architectural Barriers Act Accessibility Standards (ABAAS).

The ABA Accessibility Standards have been adopted by the General Services Administration (GSA), the Department of Defense (DOD), and the U.S. Postal Service (USPS). (The USPS standards do not include the non-mandatory advisory notes.) See <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/aba-standards>.

1.4 Related Reading Material.

1. DOJ ADA, Title II, Technical Assistance Manual, and Supplements, <http://www.ada.gov/taman2.html>.

2. DOJ ADA, Title III, Technical Assistance Manual, and Supplement, <http://www.ada.gov/taman3.html>.
3. DOJ ADA Best Practices Tool Kit for State and Local Governments, <http://www.ada.gov/pcatoolkit/toolkitmain.htm>.
4. FAA AC No. 150/5360-12, Airport Signing and Graphics, http://www.faa.gov/airports/resources/advisory_circulars/.
5. FAA AC No. 150/5220-21, Aircraft Boarding Equipment, http://www.faa.gov/airports/resources/advisory_circulars/.

1.5 Technical Assistance.

1.5.1 FAA Office of Civil Rights (ACR).

The office with primary responsibility for assisting airports in meeting accessibility requirements is ACR. This office, and specifically the Airport Disability Compliance Program (ADCP) staff, are responsible for investigating complaints of discrimination filed under the ADA and Section 504 and for conducting periodic reviews of airports' compliance with Section 504. ADCP staff provides technical assistance to airports, other public airports, and organizations as needed to facilitate compliance with program requirements. ADCP staff and ACR must also provide appropriate assistance to members of the public who need additional information on compliance requirements, including copies of the regulations and information on filing a complaint of discrimination or reporting a violation of the regulations. They may be contacted at:

Airport Disability Compliance Program
Federal Aviation Administration – Office of Civil Rights
2300 East Devon Avenue, Suite 440
Des Plaines, IL 60018
(847) 294-7209
Fax: (847) 294-7265
TTY: (800) 526-0844
9-AGL-ADA-504@faa.gov

1.5.2 FAA Airports Offices.

Assistance is also available from FAA Airports Regional and District Offices. Find the appropriate servicing office at:

http://www.faa.gov/airports/news_information/contact_info/regional/.

1.6 Definitions.

1.6.1 Airport Operator.

Public agency or private entity that has ownership and/or management control (short-term and long-term planning, financial performance, maintenance, operation) of an airport.

1.6.2 Auxiliary Aids and Services.

Qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, Telecommunications Device for the Deaf (TDD), videotext displays, or other effective methods of making aurally delivered materials available to individuals with hearing impairments; qualified readers, taped texts, audio recordings, brailled materials, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments; acquisition or modification of equipment or devices; and other similar services and actions. (28 CFR § 35.104).

1.6.3 Commercial Service Airport.

A public airport that enplanes 2,500 or more passengers annually and receives scheduled passenger aircraft service. (49 U.S.C. § 47102)(7)).

1.6.4 Concessionaire.

A firm that owns and controls a concession or a portion of a concession. (49 CFR § 23.3).

1.6.5 Designated Public Transportation.

Transportation provided by a public entity (other than public school transportation) by bus, rail, or other conveyances (other than transportation by aircraft or intercity or commuter rail transportation) that provides the general public with general or special service, including charter service, on a regular and continuing basis. (49 CFR § 37.3).

1.6.6 Disability.

With respect to an individual, a physical or mental impairment that substantially limits one or more major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment. (28 CFR § 35.108). The November 1, 1996, amendment to 49 CFR part 27 and 14 CFR part 382 substituted the term "disability" in lieu of "handicap" to reflect an amendment to Section 504 and to be consistent with the ADA, ADAAG, and ACAA.

1.6.7 Discrimination.

Denying a person with disabilities the opportunity to participate in or benefit from any program or activity receiving federal financial assistance. (49 CFR § 27.5).

1.6.8 Facility.

1.6.8.1 For purposes of Section 504, the term "facility" means any or all portion of buildings, structures, vehicles, equipment, roads, walks, parking lots, or other real or personal property or interest in such property. (49 CFR § 27.5).

1.6.8.2 For purposes of Title II of the ADA, the term "facility" means any or all portions of buildings, structures, sites, complexes, equipment, rolling

stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property, including the site where the building, property, structure, or equipment is located. (28 CFR § 35.104).

1.6.9 Federal Financial Assistance.

Any grant, loan, contract (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which the DOT provides or otherwise makes available assistance in the form of:

1. Funds;
2. Services of federal personnel; and
3. Real or personal property or any interest in, or use of such property, including:
 - a. Transfers or leases of such property for less than fair market value or for reduced consideration; and
 - b. Proceeds from a subsequent transfer or lease of such property if the federal share of its fair market value is not returned to the Federal Government (49 CFR § 27.5).

1.6.10 Fixed Route System.

A system of transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including, but not limited to, specified public transportation service, on which a vehicle is operated along a prescribed route according to a fixed schedule. (49 CFR § 37.3).

1.6.11 Primary Airport Recipient.

Any airport operator authorized or required to extend federal financial assistance from the DOT to another airport operator for the purpose of carrying out a program. (49 CFR § 27.5). Note that for the purposes of this AC, the word primary does not relate to the activity level of the airport.

1.6.12 Public Accommodation.

A private entity that owns, is the lessee (or lessor) of, or operates a place of public accommodation. (28 CFR § 36.104).

1.6.13 Qualified Individual.

An individual who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by an airport operator. (28 CFR § 35.104).

1.6.14 Regarded as Having Such an Impairment.

An individual who has a physical or mental impairment that does not substantially limit major life activities, but who is treated by a public or private entity as constituting such

a limitation; has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others toward such an impairment; or has none of the impairments defined but is treated by a public or private entity as having such an impairment. (49 CFR § 37.3).

1.6.15 Recipient.

Any State, territory, possession, the District of Columbia, or Puerto Rico, or any political subdivision thereof, or instrumentality thereof, any public or private agency, institution, organization, or other entity, or any individual in any State, territory, possession, the District of Columbia, or Puerto Rico, to whom federal financial assistance from the DOT is extended directly or through another recipient, including any successor, assignee, or transferee thereof, but such term does not include any ultimate beneficiary. (49 CFR § 27.7).

1.6.16 Sponsor.

A public agency or private owner of a public-use airport that submits to the DOT an application for financial assistance. (U.S.C. § 47102 (26)).

1.6.17 Sterile Area.

A portion of an airport, specified in the airport security program, in which certain security measures specified in 49 CFR part 1542, Airport Security, are carried out. This area is where aircraft operators and foreign air carriers that have a security program under 49 CFR part 1544, Aircraft Operator Security: Air Carriers and Commercial Operators, or part 1546, Foreign Air Carrier Security, enplane and deplane passengers; also includes any adjacent areas that are not separated by adequate security measures. (49 CFR part 1540, Civil Aviation Security: General Rules).

1.6.18 Terminal.

An airport passenger terminal is a building or complex of buildings that serve as the interface between aircraft, travelers, and landside transportation elements. These elements work cohesively to efficiently convey passengers to and from their origins and destinations.

Chapter 2

CHAPTER 2. BASIC REGULATORY REQUIREMENTS OF THE ADA, SECTION 504, AND THE ACAA

2.1 Overview.

2.1.1 This chapter provides a framework for understanding the basic requirements of the various laws and regulations, indicating where they overlap and where they vary. Because airports have limited obligations under 49 CFR parts 37 and 38 and 14 CFR part 382, this chapter focuses primarily on the DOJ Title II regulation, 28 CFR part 35, and the DOT Section 504 regulation, 49 CFR part 27.

2.1.2 To be in compliance with Section 504, an airport operator must comply with:

1. All applicable requirements of the ADA, as amended (42 U.S.C. § 12101, Findings and purpose, and 42 U.S.C. § 12213, Severability);
2. DOT’s ADA regulations (49 CFR parts 37 and 38);
3. Regulations of DOJ implementing Title II of the ADA (28 CFR part 35);
4. Regulations of the EEOC implementing Title I of the ADA (29 CFR part 1630 and 49 CFR § 27.19 (a)); and
5. 49 CFR, Part 27, which requires airports to ensure that terminal facilities and terminal services are readily accessible to and usable by individuals with disabilities, including individuals using wheelchairs.

2.1.3 Table 2-1 provides the citations for Title I, II, and III of the ADA, Section 504, and the ACAA, the location of the implementing regulations, and specifies the entities to which the legislation and regulations apply.

Table 2-1. Summary of Regulatory Requirements

The following statutory requirement...	Is codified at...	Is implemented in the following regulation...	And applies to the following entities
Title I of the ADA	42 U.S.C. § 12112 Pub. L. 101-336, title I , § 102	29 CFR part 1630 http://www.ecfr.gov	Any private or public entity that employs more than 15 people
Title II of the ADA	42 U.S.C. 12132 Pub. L. 101-336, title II , § 202	28 CFR part 35 http://www.ecfr.gov	Public entities; all activities, services, and programs of state and local government
Title III of the ADA	42 U.S.C. 12182 Pub. L. 101-336, title II , § 302	28 CFR part 36 http://www.ecfr.gov	Any public services and accommodations operated by private entities

The following statutory requirement...	Is codified at...	Is implemented in the following regulation...	And applies to the following entities
Section 504 of the RA of 1973 (Public Law 93-112)	29 U.S.C. § 794	49 CFR part 27 http://www.ecfr.gov	Programs receiving federal financial assistance
Air Carrier Access Act of 1986	49 U.S.C. § 41705	14 CFR part 382 http://www.ecfr.gov	U.S. and foreign air carriers

2.2 Administrative Requirements.

2.2.1 Coordinators.

Airports are required to coordinate efforts to comply with the applicable regulations, including the investigation of complaints alleging its noncompliance with these regulations or alleging any actions that would be prohibited by these regulations under:

1. Title II of the ADA (28 CFR § 35.107(a)); and
2. Section 504 regulations (49 CFR § 27.13(a)).

2.2.2 Complaint Procedures.

Airports with 15 or more employees are required to adopt complaint procedures for the prompt and equitable resolution of complaints alleging violations of Section 504 and Title II of the ADA.

1. Title II of the ADA. 28 CFR § 35.107(b) requires entities that employ 50 or more persons to adopt and publish grievance procedures.
2. Section 504. 49 CFR § 27.13(b) requires airports that employ 15 or more persons to adopt procedures that incorporate appropriate due process standards (prompt and equitable resolution of complaints).

2.2.3 Notice.

Title II of the ADA and Section 504 require notice to various parties of the relevant regulations.

2.2.3.1 Title II of the ADA.

28 CFR § 35.106 requires airports to provide notice to "applicants, participants, beneficiaries, and other interested persons" information regarding the provisions of this part and its applicability to the services, programs, or activities of the public entity, and make such information available to them in such manner as the head of the entity finds necessary to apprise such persons of the protections against discrimination assured them by the Act and this part; and

2.2.3.2 **Section 504.**

49 CFR § 27.15 requires airports to take appropriate initial and continuing steps to notify "participants, beneficiaries, applicants, and employees" including those with hearing and vision impairments, and to unions. The notice must include the following information:

1. The airport operator does not discriminate on the basis of disability in admission to, access to, treatment of, or employment in its programs, services, and activities; and
2. Identification of its designated Coordinator. See Appendix C.

2.2.4 Self-Evaluations.

Airports are required to review their programs, activities, services, policies, and practices, to evaluate their compliance with the applicable regulations, and to take any appropriate remedial action. Both the ADA and Section 504 require that the airport provide for the participation of interested persons, including persons with disabilities, and organizations representing persons with disabilities in the evaluation.

2.2.4.1 **ADA.**

28 CFR § 35.105 requires all entities to conduct the evaluation. All airports should have completed this process and met all requirements. While this requirement to conduct a self-evaluation is not extended in the revised regulations, and because many Section 504 self-evaluations were conducted as long as four decades ago and programs tend to change, DOJ encourages entities to continue with self-evaluations to determine compliance with the current and future revisions and resulting changes in regulatory requirements. Under Title II of the ADA, if an airport had previously conducted a self-evaluation under Section 504, only those policies and practices that were not included in the initial evaluation needed to be evaluated.

2.2.4.2 **Section 504.**

49 CFR § 27.11(c)(2) requires that all airports conduct an evaluation and notify ACR of the persons responsible for evaluating its compliance and for the completion of the evaluation. Airports are specifically required to take the following actions:

1. Evaluate current policies and practices;
2. Identify shortcomings and describe the methods to remedy; and
3. Begin to modify any policies or practices that do not meet the requirements of this part.

2.2.4.3 After each of these steps, the airports must consult with persons with disabilities and organizations representing persons with disabilities. The airports must then also:

1. Take remedial steps to eliminate the effects of any discrimination caused by the violations; and
2. Establish a system for periodically reviewing and updating the evaluation. All airports must keep the evaluation on file for three years. (49 CFR §§ 27.11(c)(2) and (3)).

2.3 Employment.

Both Title II of the ADA and Section 504 regulations incorporate the prohibition on employment discrimination from Title I of the ADA. (28 CFR § 35.140 and 49 CFR § 27.19). Both rules also incorporate the EEOC requirements found in 29 CFR part 1630, including prohibitions on discrimination in job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment, as well as recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities.

2.3.1 DOJ ADA Title I employment provisions apply to private employers and state and local government (as well as employment agencies and labor unions) that employ at least 15 employees;

2.3.2 DOJ ADA Title II employment provisions apply to all state and local governments covered, regardless of the number of employees or any receipt of federal funding.

1. EEOC's standards for compliance can be found in 29 CFR part 1630.
2. If the airport operator is not covered by Title I, the standards for compliance are found at DOJ regulations, 28 CFR part 41, Implementation of Executive Order 12250, Nondiscrimination on the Basis of Handicap in Federally Assisted Programs, which empowers the DOT to issue regulations to implement Section 504 with respect to programs and activities to which it provides assistance.

2.3.3 Section 504 employment provisions.

1. 49 CFR § 27.19 covers employment for operators, regardless of the number of employees.
2. 29 CFR part 1630 requires compliance with the EEOC regulation.

2.4 Program Accessibility.

2.4.1 28 CFR § 35.150(a).

An airport operator must ensure that its services, programs, or activities are accessible to persons with disabilities.

2.4.2 28 CFR § 35.130(b)(7).

Airports must make reasonable modifications to their policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability,

unless the airport can demonstrate that the modifications would fundamentally alter the nature of the service, program, or activity.

2.4.3 28 CFR § 35.150(a)(3).

Airports are not required to take any action that will result in a fundamental alteration in the nature of a service, program, or activity that would result in undue financial and administrative burdens.

2.4.4 28 CFR § 35.150(b).

Existing facilities must be accessible to and usable by individuals with disabilities. Public entities must give priority to those methods that provide services, programs, and activities in the most integrated setting appropriate for persons with disabilities.

2.5 Physical Accessibility.

The design and construction of new buildings and the alterations and the necessary structural modifications to existing buildings must comply with accessibility standards under Title II and Section 504.

2.5.1 Design Standards.

Airports may only use the 2010 ADA Standards for Accessible Design (2010 Standards) when constructing a new building or altering/renovating an existing building. In the past, airports were allowed to use the Uniform Federal Accessibility Standards (UFAS) or the 1991 ADA Standards for Accessible Design (1991 Standards).

2.5.2 Structural Changes.

All airports under Section 504 were required to submit a transition plan to the FAA for approval “where extensive structural changes” were necessary. Chapter 4 provides additional information on transition plans.

2.5.3 Title II Regulations.

Airports subject to Title II regulations that employ 50 or more persons and need any structural modifications were to develop transition plans by July 26, 1992. The plan had specific requirements. The airport was required to provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the plan. If an airport already had developed a transition plan under Section 504, it needed only to review the policies and practices not included in the previous transition plan. (28 CFR § 35.150(d)(4)).

2.5.4 Accessibility Standards.

DOJ published its revised final regulations implementing the ADA for Title II (state and local government services) and Title III (public accommodations and commercial facilities) on September 15, 2010. The revised regulations have updated the general nondiscrimination provisions implementing the ADA. (www.ada.gov).

2.5.4.1 The ADA Standards for Accessible Design (Standards), applicable to airport facilities, is the standard for accessibility that applies to airports. (49 CFR § 27.71 (e)). The applicability of the Standards is based on the construction date of the specific structure. If the structure was built and not renovated or altered before the 1991 Standards were in effect, then the entity will not be required to meet the 1991 Standards. Under the 1991 Standards, airports are expected to meet requirements under Section 10.4, but for new construction and alterations, airports must follow 2010 standards. However, if the facility was built, altered or renovated after the 1991 Standards came into effect, requirements under the 1991 Standards had to be met. With the establishment of the ADA Standards for Acceptable Design, airports need to address requirements under these Standards when a facility is newly constructed, altered, or renovated after March 15, 2012. These Standards apply to facilities in the private sector (places of public accommodation and commercial facilities) and to state and local government facilities, such as the airports, operated by such entities.

2.5.4.2 **UFAS.**

UFAS Standards are found in 41 CFR part 101-19.6, Appendix A.

2.5.5 Historic Preservation.

The DOJ Title II regulation makes allowances for accessibility to historic properties. (28 CFR §§ 35.150(a)(2), 35.150(b)(2), and 35.151(d)).

2.5.6 Specific Airport Provisions.

Airports must ensure that terminal facilities and services are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs. An airport is considered to comply with this obligation if it meets the requirements applying to state and local government programs or activities and facilities under DOT's Title II rule. (49 CFR § 27.71(b)).

2.5.6.1 Airports must ensure that there is an accessible path between the gate and the area from which aircraft are boarded. (49 CFR § 27.71(c)).

2.5.6.2 Systems of inter-terminal transportation, including, but not limited to, shuttle vehicles and people movers, must comply with applicable requirements of the DOT Section 504 rules. (49 CFR § 27.71(d)).

2.5.6.3 The 1991 Standard, including Section 10.4 concerning airport facilities, is the standard for accessibility that applies to airports. (49 CFR § 27.71(e)). For any new construction or alteration, airports must use the 2010 Standards. (28 CFR § 35.151(c)).

2.5.6.4 Contracts or leases between carriers and airports concerning the use of airport facilities must set forth the respective responsibilities of the parties for the provision of accessible facilities and services to individuals with

disabilities as required by 49 CFR § 27.71(f) and provisions of 14 CFR part 382, as amended, implementing the ACAA.

- 2.5.6.5 28 CFR § 35.136 requires public entities to permit the use of a service animal by an individual with a disability. Individuals with disabilities must be permitted to be accompanied by their service animals in all areas of a public entity's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go. In addition, a public entity must make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse that has been individually trained to do work or perform tasks for the benefit of the individual with a disability; and
- 2.5.6.6 49 CFR § 27.71 (h) Airport facilities. Each airport with 10,000 or more annual enplanements shall cooperate with airlines that own, lease, or control terminal facilities at that airport to provide wheelchair accessible animal relief areas for service animals that accompany passengers departing, connecting, or arriving at the airport subject to the following requirements: (1) Airports must consult with one or more service animal training organizations regarding the design, dimensions, materials and maintenance of service animal relief areas; (2) Airports must establish at least one relief area in each airport terminal; (3) Airports must establish the relief area required by section 27.71 (h)(2) in the sterile area of each airport terminal unless: (i) The Transportation Security Administration prohibits the airport from locating a relief area in the sterile area, or (ii) A service animal training organization, the airport, and the carriers in the terminal in which the relief area will be located agree that a relief area would be better placed outside the terminal's sterile area. In that event, the airport must retain documentation evidencing the recommendation that the relief area be located outside of the sterile area; and (4) To the extent airports have established service animal relief areas prior to the effective date of this paragraph: (i) Airports that have not consulted with a service animal training organization shall consult with one or more such organizations regarding the sufficiency of all existing service animal relief areas.
- 2.5.6.6.1 To assist airports in providing SARA and complying with regulations, this AC includes a set of standards that may be used as guidelines/recommendations where compliance with this AC is not mandatory. See Appendix A for SARA.

2.6 **Communications.**

Airports are required to take appropriate steps to ensure that their communications with individuals with disabilities are as effective as communications with other individuals, beneficiaries, and members of the public. In addition, under the 2010 ADA Standards for Accessible Design, there are signage requirements that address the need for

directional and informational signs that communicate information about the location and availability of accessible services including areas of refuge and means of egress. Airports are also required to enable or ensure that closed captioning is functioning at all times on all audio visual displays that are capable of displaying captions. (49 CFR § 27.71(i)).

- 2.6.1 28 CFR part 35 requires the following for persons with impaired hearing, vision, or speech:
1. CFR § 35.161 requires where an airport communicates by telephone with applicants and beneficiaries, that equally effective telecommunications systems are used to communicate with individuals who are deaf, hard of hearing, or have speech impairments;
 2. 28 CFR § 35.162 requires telephone emergency services, including 911 services, to provide direct access to individuals who use TDD's and computer modems;
 3. 28 CFR §35.163(a) requires access to information about the existence and location of accessible services, activities, and facilities;
 4. 28 CFR § 35.163(b) requires signage at all inaccessible entrances directing users to an accessible entrance or to a location to obtain the information about accessible facilities; and
 5. 28 CFR § 35.163(b) also requires the use of the international symbol for accessibility at each accessible entrance of the facility.
- 2.6.2 Section 217 of the 2010 ADA Standards provides standards for public pay telephones.
- 2.6.3 Section 810.8 of the 2010 ADA Standards provides standards for clocks.

2.7 Vehicle and Transportation Systems Accessibility.

Under DOT ADA Title II, Subpart B, and Title III regulations in 49 CFR parts 37 and 38, public entities that provide designated or specified public transportation or intercity or commuter rail transportation must provide access for persons with disabilities. Since transportation by aircraft is excluded from the definition of designated or specified transportation, these regulations have limited applicability to airports. The areas of the regulation that apply are summarized below.

2.7.1 49 CFR § 37.33.

This section specifically addresses an airport's responsibilities in reference to airport-operated transportation systems. If an airport is operating a transportation system that provides designated public transportation (and connects parking lots and terminals or provides transportation among terminals) it is subject to the requirements in 49 CFR part 37 for fixed-route and demand-responsive systems. Airports that operate fixed-route transportation systems are subject to the requirements in 49 CFR part 37 for commuter bus service operated by public entities. The provision by an airport of additional accommodations (e.g., parking spaces in a close-in lot) is not a substitute for meeting the requirements in 49 CFR § 37.33(a).

2.7.2 Fixed-route Transportation Systems.

Fixed-route transportation systems operated by airports between the airport and a limited number of destinations in the area that it serves are subject to the requirements in 49 CFR part 37 for commuter bus systems operated by public entities. (49 CFR Section 37.33(b)).

2.7.2.1 **Private Entity Transportation Systems.**

Private jitneys (small buses or vans that carry passengers over a regular route on a flexible schedule) or shuttle services that provide transportation between the airport and destinations in the area it serves, either in a route-deviation or another variable mode in a demand-responsive service, must provide accessible services in accordance with 49 CFR § 37.33(c) implementing Title III. It is the airport's responsibility to be aware of these requirements.

2.7.2.2 **Taxis.**

Private taxi providers are not required to purchase or lease accessible automobiles. However, if they purchase a vehicle other than an automobile, that vehicle must be accessible unless the provider can demonstrate equivalency as provided in § 37.105. Taxi providers using only automobiles may not discriminate against persons with disabilities who are able to use the automobile, in accordance with 49 CFR § 37.29 implementing Title III. It is the airport's responsibility to be aware of these requirements.

2.7.2.3 **Private Entities Not Primarily Engaged in Transportation.**

Shuttle systems and other transportation services operated by privately owned hotels, car rental companies, or other public accommodations are subject to the applicable sections of 49 CFR § 37.37. It is the airport's responsibility to be aware of these requirements.

2.8 **Aircraft and Air Carrier Facility Accessibility.**

Aircraft accessibility is generally addressed by the ACAA, which applies to U.S. and foreign air carriers. However, the regulation that implements Section 504 of the RA requires airport operators to work with carriers to provide boarding assistance to individuals with disabilities using mechanical lifts, ramps, and other devices (49 CFR § 27.72).

2.8.1 Airport Facilities.

Airport terminal facilities include parking and ground transportation facilities, owned, leased, or operated by commercial service airports that are recipients of DOT financial assistance. (49 CFR § 27.71(a)). Under 14 part 382, a carrier is responsible for ensuring that terminal facilities it owns, leases, or controls at a U.S. airport are readily accessible to and usable by individuals with disabilities (14 CFR § 382.51). It is the airport's responsibility to ensure that leases or contracts between airports and air

carriers concerning the use of airport facilities define the respective responsibilities for providing accessible facilities and services to individuals with disabilities. (49 CFR § 27.71(f)). Carriers have a reciprocal responsibility regarding such leases and contracts. (14 CFR § 382.51(a)(4)).

2.8.1.1 Accessible Path.

It is the airport's responsibility to ensure that a passenger with a disability can move through the airport to the aircraft boarding area. (49 CFR § 27.71(c)).

2.8.1.2 Shared-use Automated Airport Kiosks.

This paragraph applies to U.S. airports with 10,000 or more annual enplanements. (49 CFR § 27.71(j)).

2.8.1.2.1 Airports that jointly own, lease, or control automated airport kiosks with carriers at U.S. airports must ensure that all shared-use automated kiosks installed on or after December 12, 2016, meet the technical accessibility standards with respect to their physical design and the functions they perform as detailed in 49 CFR § 27.71(k) until at least 25 percent of kiosks provided in each location at the airport (i.e., each cluster of kiosks and all stand-alone kiosks at the airport) meet this specification.

2.8.1.2.2 Airports must ensure that at least 25 percent of shared-use automated airport kiosks they jointly own, lease, or control with carriers in each location at the airport conform to the technical accessibility standards with respect to their physical design and the functions they perform as detailed in 49 CFR § 27.71(k) by December 12, 2022.

2.8.2 Boarding Assistance for Small Aircraft.

Lifts, ramps, or other suitable devices not normally used for the movement of freight must be available, if the terminals at such airports are not equipped with passenger loading bridges or passenger lounges for boarding and deplaning. Each airport operator must negotiate in good faith with each U.S. and foreign air carrier serving the airport concerning the acquisition and use of assistance devices. The airport operator and the U.S. and foreign carrier(s) must sign a written agreement allocating responsibility for meeting the boarding assistance requirements of this section between or among parties. The agreement must be made available, on request, to representatives of the DOT. All U.S. and foreign carriers and airports involved are jointly responsible for the timely and complete implementation of the agreement. (49 CFR § 27.72(c)(1), (c)(2), (d)(2) and (d)(3)). In the event that airport personnel are involved in providing boarding assistance, the airport operator must train personnel to be proficient in using airport owned or operated boarding assistance equipment for small aircraft and be knowledgeable of boarding assistance procedures that safeguard the safety and dignity of passengers. (49 CFR § 27.72(g)). Carriers also have responsibilities concerning their written agreements with airports to provide the boarding and deplaning assistance

required by 14 CFR § 382.95 where level entry loading bridges are not available (also see 14 CFR § 382.99).

2.9 Conditions Not Considered Disabilities.

Examples of such conditions include:

1. 28 CFR § 35.104. Sexual behavior disorders;
2. 28 CFR § 35.104. Compulsive gambling, kleptomania, and pyromania;
3. 28 CFR § 35.104. Psychoactive substance use disorders resulting from current illegal use of drugs; and
4. 28 CFR § 35.132. Appendix A to 28 CFR part 35: Sensitivity to Tobacco Smoke.

Chapter 3

CHAPTER 3. TECHNICAL ASSISTANCE

3.1 FAA Office of Civil Rights and the Airport Disability Compliance Program Staff.

ACR, and specifically the ADCP staff, provide technical assistance to airports, other public airports, and organizations as needed to facilitate compliance with program requirements. ADCP staff and ACR also provide appropriate assistance to members of the public who need additional information on compliance requirements, including copies of the regulations and information on filing a complaint of discrimination or reporting a violation of the regulations. This office may be contacted at:

Airport Disability Compliance Program (ADCP)
Office of Civil Rights
Federal Aviation Administration
2300 E. Devon Avenue, Suite 440
Des Plaines, IL 60018
Phone: 847-294-7209
Fax: 847-294-7265

http://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/

Email: 9-AGL-ADA-504@faa.gov

3.2 Non-discrimination Legislation.

The following websites contain relevant information concerning disability legislation and how it applies to an airport setting.

1. The Americans with Disabilities Act: www.ada.gov.
2. Non-discrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance (49 CFR part 27):
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr27_main_02.tpl.
3. Air Carrier Access Act (14 CFR part 382): http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title14/14cfr382_main_02.tpl.
4. DOT Final Rule Adopting New Accessibility Standards-
http://www.fta.dot.gov/12325_5936.html.

3.3 Accessibility Standards.

These web pages contain important information on accessibility guidelines and standards:

1. 1991 ADA Standards - www.ada.gov.
2. 2010 Standards - www.ada.gov.
3. ADA Standards for Transportation Facilities - www.access-board.gov.
4. Accessibility Specifications for Transportation Vehicles (49 CFR part 38):
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr38_main_02.tpl.

3.4 Disability/Accessibility Organizations.

These sites provide assistance in learning the priorities of the disability community, their interpretation of legislation, and the issues they are advocating for. These organizations have information about the latest technological innovations that will improve accessibility.

1. American Association of People with Disabilities (www.aapd.com);
2. American Council of the Blind (www.acb.org);
3. American Foundation for the Blind (www.afb.org);
4. Assistance Dogs International (www.assistedogsinternational.org);
5. Canine Assistants (www.canineassistants.org);
6. Canine Companions for Independence (www.cci.org);
7. The Center for Universal Design (www.ncsu.edu/ncsu/design/cud);
8. Disability and Business Technical Assistance Centers (www.adata.org);
9. Disability Rights Education and Defense Fund (www.dredf.org);
10. Disability Statistics Center (www.dsc.ucsf.edu);
11. Gallaudet University (www.gallaudet.edu);
12. Guide Dog Users, Inc. (<http://guidedogusersinc.org/>);
13. International Association of Dog Assistance Partners (www.iaadp.org);
14. Job Accommodation Network (www.askjan.org);
15. Leader Dogs for the Blind (www.leaderdog.org);
16. Little People of America (www.lpaonline.org);
17. Mobility International USA (www.miusa.org);
18. National Association of Guide Dog Users (www.nagdu.org);
19. National Association of the Deaf (www.nad.org);
20. National Council on Independent Living (www.ncil.org);
21. National Federation of the Blind (www.nfb.org);
22. National Organization on Disability (www.nod.org);
23. NEADS/Dogs for Deaf and Disabled Americans (www.neads.org);
24. Open Doors Organization (www.opendoorsnfp.org);
25. Paralyzed Veterans of America (www.pva.org);
26. Paws with a Cause (www.pawswithacause.org);
27. Rehabilitation Engineering Research Center on Accessible Public Transportation (www.tercapt.org);
28. Psychiatric Service Dog Partners (www.psychdogpartners.org);

29. The Seeing Eye Inc. (www.seeingeye.org);
30. United Spinal Association (www.unitedspinal.org);
31. United States Access Board (www.access-board.gov);
32. Working like Dogs (www.workinglikedogs.com); and
33. World Institute on Disability (www.wid.org).

Chapter 4

CHAPTER 4. TRANSITION PLANS

4.1 Transition Plan Standards.

Transition plans were required for airport facilities owned by airports by November 1, 1996, as part of the amendment to 49 CFR § 27.71(g). This was to ensure that facilities, including streets, roads, and walkways achieved program accessibility. Currently, airports must ensure that their existing facilities meet accessibility requirements and, if not, to implement a transition plan immediately to assess the current state and prepare a reasonable plan to achieve program accessibility. An opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan is encouraged. A self-evaluation to determine compliance with applicable rules and regulations is the first step in addressing compliance and then establishing a plan for corrective action. This transition plan for corrective action should be available for review by ADCP.

4.2 Existing Facilities.

Under 28 CFR part 35, an existing facility is one in which construction began on or before January 26, 1992.

4.2.1 28 CFR § 35.150 requires that, subject to certain limitations, each service, program, or activity operated by an airport operator, when viewed in its entirety, must be readily accessible to and usable by individuals with disabilities. An airport operator is not required to make structural changes to existing facilities where other methods are effective in achieving compliance. Such other methods include redesign of equipment, reassignment of services to accessible buildings, and assignment of aides to beneficiaries.

4.2.2 Appendix A to 28 CFR part 35 reinforces these concepts. It states in part that structural changes in existing facilities are required only when there is no other feasible way to make the airport's program accessible. (It should be noted that "structural changes" include all physical changes to a facility; the term does not refer only to changes to structural features, such as removal of or alteration to a load bearing structural member.) The requirements of § 35.151 for alterations apply to structural changes undertaken to comply with this Section. (28 CFR part 35, § 35.150, and Appendix A).

4.3 Periodic Reviews.

49 CFR § 27.11(c)(2)(v) requires airports to establish a system for periodically reviewing and updating the self-evaluation required by paragraph (c)(2) of that Section. 28 CFR § 35.151 requires that new construction and alterations be accomplished in accordance with appropriate design standards which, depending on the date of construction, can be the UFAS, 1991 Standards or 2010 Standards.

Chapter 5

CHAPTER 5. OVERVIEW OF ARCHITECTURAL BARRIERS ACT

5.1 Architectural Barriers Act (ABA).

The following ABA requirements apply to recipients of federal financial assistance from DOT.

5.1.1 ATBCB Final Rule, 36 CFR part 1190, Minimum Guidelines and Requirements for Accessible Design.

This rule implements section 502(b)(7) of the RA of 1973, which requires the ATBCB to establish minimum guidelines and requirements for standards issued under the ABA of 1968. The four standard-setting agencies (GSA, HUD, USPS, or DOD) establish and enforce standards for design, construction, and alteration of particular types of buildings and facilities. It is possible that more than one of the standard-setting agencies could have jurisdiction under the ABA over a given airport. This AC limits its discussion to the responsibilities of airports receiving federal financial assistance from DOT. These are the only entities over which DOT has jurisdiction under the ABA. Structural accessibility is required for individuals with disabilities in buildings or facilities that are to be constructed or altered by or on behalf of the United States; to be leased in whole or in part by the United States after August 12, 1968; to be financed in whole or in part by a grant or a loan made by the United States after August 12, 1968, if such building or facility is subject to standards for design, construction, or alteration issued under authority of the law authorizing such grant or loan; or to be constructed under authority of the National Capital Transportation Act of 1960, the National Capital Transportation Act of 1965, or Title III of the Washington Metropolitan Area Transit Regulatory Compact. As a recipient of federal financial assistance, an airport operator is responsible for compliance with the ABA, the UFAS, and any other applicable GSA regulations. In the event the recipient leases portions of the federally assisted building to other public or private entities, the responsibility would remain with the recipient. The recipient, however, could ensure compliance on the part of the lessees through requirements included in the lease document or other agreement executed.

5.1.2 Exceptions to Compliance Requirements.

Under UFAS, the following exceptions, waivers, and modifications of standards are available:

5.1.2.1 **Exceptions to GSA Standards.**

GSA's accessibility standards do not apply to:

1. The design, construction, alteration, or lease of any portion of a building which need not, because of its intended use, be made accessible to, or usable by, the public or by people with disabilities;
2. The alteration of an existing building if the alteration does not involve the installation of, or work on, existing stairs, doors, elevators, toilets, entrances, drinking fountains, floors, telephone locations, curbs,

parking areas, or any other facilities susceptible to installation or improvements to accommodate people with disabilities;

3. The alteration of an existing building, or of portions thereof, to which application of the standards is not structurally possible;
4. The construction or alteration of a building for which plans and specifications were completed or substantially completed on or before September 2, 1969; provided, however, that any building constructed under authority of the National Capital Transportation Act of 1960, the National Capital Transportation Act of 1965, or Title III of the Washington Metropolitan Area Transit Regulation Compact must be designed, constructed, or altered in accordance with the UFAS regardless of design status or bid solicitation as of September 2, 1969; and
5. The leasing of space when it is found after receiving bids or offers and otherwise legally acceptable that a proposal meets most of the requirements of the UFAS. If no offeror or bidder meets all the requirements, then preference must be given to the offeror or bidder who most nearly meets the UFAS. If the award is proposed for a firm other than the one that most nearly meets the UFAS and whose bid or offer is reasonable in price and is otherwise legally acceptable, a waiver or modification of the standards must be obtained.

5.1.2.2 **Waiver or Modification of Standards.**

The applicability of the UFAS may be modified or waived on a case-by-case basis upon application to GSA by the head of the department, agency, or instrumentality of the United States concerned only if the Administrator of the General Services determines that such waiver or modification is clearly necessary.

5.1.2.3 **Other UFAS Exceptions.**

UFAS also contains numerous scoping and technical exceptions.

APPENDIX A. GUIDELINES FOR SERVICE ANIMAL RELIEF AREAS (SARA)

A.1 General.

A.1.1 As stated in Section 2.5.6.6 (per Title 49 Subpart B § 27.71 (h), Service Animal Relief Areas), each airport with 10,000 or more annual enplanements shall provide wheelchair-accessible Service Animal Relief Areas (SARAs) for service animals that accompany passengers departing, connecting, or arriving at airports.

A.1.2 The SARA standards below have been developed in collaboration with nationally recognized service animal training organizations and groups of users of service animals to assist airports with the installation of SARAs. In addition to the guidance below, airports must consult with one or more service animal training organizations regarding the design, dimensions, materials and maintenance of service animal relief areas.

A.2 Number.

A.2.1 At least one SARA must be located in each public sterile area of each terminal.

A.2.2 While a single SARA is required in each passenger terminal sterile area, additional optional SARAs are recommended based on the size or configuration of the sterile area (s) in a given terminal. A passenger with a service animal in a given sterile area should not have to travel excessive distances to reach a SARA or exit one sterile area and be reprocessed through another security checkpoint to reach a SARA. The goal is to improve accessibility to SARAs and provide a higher level of service for travelers and their service animals.

A.2.3 Example scenarios are as follows and correspond with the examples in **Figure A-1**:

1. A passenger terminal building with a single security checkpoint and sterile area is required to have a single SARA.
2. A passenger terminal building with multiple security checkpoints and/or separate public sterile areas is required to have at least one SARA for each public sterile area.
3. A passenger terminal building with either single or multiple security checkpoints and separate public sterile areas, but with excessive walking distances will be better served with multiple SARAs. Please note that providing additional SARAs beyond one per sterile area is recommended, but optional and at the discretion of the airport operator.
4. Multiple passenger terminal buildings will each require at least one SARA and will be better served as described in bullets (2) and (3).

Note: For additional clarification, airports are encouraged to coordinate with the FAA Offices of Airports and Civil Rights.

A.3 Size and Shape.

The SARA may be constructed in any shape, but the minimum size of a SARA should provide adequate space to accommodate a person using a wheelchair handling a service animal secured on a five-foot leash. In busier locations, a relief area may be sized to accommodate more than one service animal at one time.

A.4 Surfaces.

A relief area should have at least two different surfaces. One should be a hard surface (e.g., non-slip epoxy flooring) and located immediately inside the entrance to allow wheelchair access; the other surface is the relief area itself. The hard surface should be delineated in a manner to indicate the portion intended to be traversed by people, and the portion intended for animal relief. The other surface should be an appropriate softer surface, such as gravel or mulch for outdoor areas, and artificial turf specially designed as an animal relief surface, treated to inhibit the spread of disease, for indoor (and outdoor) areas. Other artificial turf is not recommended, as it harbors odors and bacteria. Consider that artificial turf is often perceived as carpet by service animals, making them reluctant to use it. Avoid surfaces such as sand that will stick to paws and be tracked outside the SARA. When using mulch, be sure it is not of a species that can be harmful to animals. Dark colored surfaces should not be used where exposed to the sun, as they can become unbearably hot.

A.5 Fencing.

SARAs should be fenced or surrounded by another suitable enclosure adequate for containing animals and should be constructed with an accessible gate/entrance.

A.6 Plumbing.

SARAs should include a sink with a faucet for hand washing. When designing and installing the sink, airports should consider that users may use the sink to fill bowls for their service animal. A separate water supply should be included for use in cleaning the surface. The surface should be constructed with adequate drainage to facilitate regular cleaning. A hand sanitizer may be provided instead of sink.

A.7 Location.

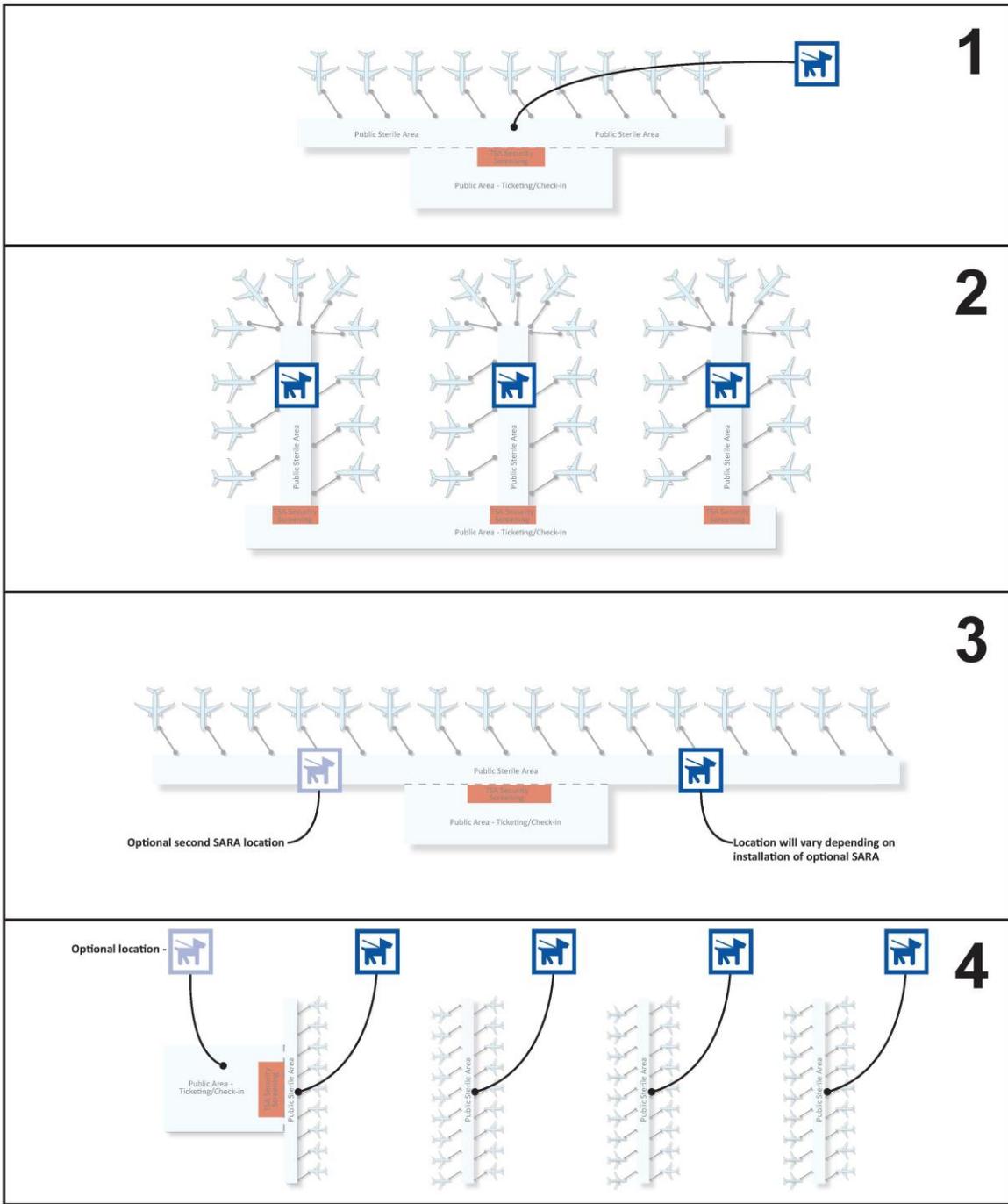
There are a number of key factors that determine the location of a SARA:

1. The SARA must be located in the publicly accessible sterile area of each airport terminal, unless:
 - a. The Transportation Security Administration prohibits the airport from locating a relief area in the sterile area, or
 - b. A service animal training organization, the airport, and the carriers in the terminal in which the relief area will be located agree that a relief area would

be better placed outside the terminal's sterile area. In that event, the airport must retain documentation evidencing the recommendation that the relief area be located outside of the sterile area.

2. The SARA must be wheelchair accessible.
3. Similar to siting typical restrooms, a best practice is to choose a location that is proximate and conveniently accessible to concentrations of passengers (e.g., central circulation corridors, hold rooms, and or major concession concentrations).

Figure A-1. Example - Number of SARAs



Federal Aviation Administration



- Service Animal Relief Area (SARA)

Note: SARA icon not to scale. Locations are for example only. ADG-III Aircraft shown w/ 25' wingtip separation.

Figure A-1- Example - Number of SARAs

A.8 Weather Protection.

Outdoor SARA should include weather protection from sun and precipitation. If the SARA is close to operating aircraft, protection from jet blast and prop wash should be provided.

A.9 Scent.

Because animals have a more acute sense of smell than humans, pheromone-scented surfaces or devices may encourage service animals to use the SARA, while disinfecting chemicals with strong odors may serve as a deterrent.

A.10 Accessories.

The SARA, at a minimum, should include:

1. A three-dimensional prop (e.g. rock or fake fire hydrant) to encourage urination by male dogs. Ensure that the prop is positioned in a location inside the SARA that will not obstruct a wheelchair user's entrance into, or maneuverability inside the SARA.
2. Disposable animal waste bags.
3. A waste receptacle.

Note: Disposal bags and waste receptacles should be located just inside the entrance to the SARA on an accessible route and at a height reachable by wheelchair users.

A.11 Wayfinding and Signage

A.11.1 Signage Standardization is Desirable.

The sign shown in **Figure A-2**, signage may be used with or without accompanying text or directional arrows to guide users to the SARA. The signage, when used, should be included in airport layout maps and in wayfinding instructions provided throughout the airport. In addition, signing at the SARA should indicate the following:

1. The need for handlers to clean up after animals;
2. The location of waste disposal bags, and waste receptacles, hand washing facilities, and any other facilities (e.g. automatic flushing controls);
3. Instructions for the operation of any facilities; and
4. Contact information for maintenance and assistance.

A.11.2 Other Guidance.

Signage should be supplemented with a means, including auditory announcements, to guide people with vision impairments, i.e. auditory announcements. Braille signage should be installed adjacent to the side of doors and gates opposite the hinges. Airports are encouraged to adopt up-to-date technology (e.g., smart phone applications) as it becomes available.

Figure A-2. Example SARA Signage



APPENDIX B. ACRONYM DESCRIPTIONS

Acronym	Description
ABA	Architectural Barriers Act
ABAAS	Architectural Barriers Act Accessibility Standards
AC	Advisory Circular
ACAA	Air Carrier Access Act
ACR	FAA Office of Civil Rights
ADA	Americans with Disabilities Act
ADAAG	ADA Accessibility Guidelines
ADCP	Airport Disability Compliance Program
AIP	Airport Improvement Program
ATBCB	Architectural and Transportation Barriers Compliance Board
CFR	Code of Federal Regulations
DOD	Department of Defense
DOJ	Department of Justice
DOT	Department of Transportation
EEOC	Equal Employment Opportunity Commission
FAA	Federal Aviation Administration
FTA	Federal Transit Administration
GINA	Genetic Information Nondiscrimination Act
GSA	General Services Administration
HUD	Department of Housing and Urban Development
PFC	Passenger Facility Charges Program.
RA	Rehabilitation Act

Acronym	Description
SARA	Service Animal Relief Areas
TDD	Telecommunications Device for the Deaf
TSA	Transportation Security Administration
UFAS	Uniform Federal Accessibility Standards
U.S.C.	United States Code
USPS	U.S. Postal Service

APPENDIX C. NOTICE OF UNLAWFUL DISCRIMINATION POSTER

Unlawful Discrimination

It is unlawful for airport operators and their lessees, tenants, concessionaires and contractors to discriminate against any person because of race, color, national origin, sex, creed, or disability in public services and employment opportunities. Allegations of discrimination should be promptly reported to the Airport Manager or:

Federal Aviation Administration
Office of Civil Rights, ACR-1
800 Independence Avenue, S.W.
Washington, D.C. 20591

Federal regulations on unlawful discrimination are available for review in the Airport Manager's Office.

Coordinator:
Phone:
Address:

Discriminación Ilegal

Se prohíbe a los operadores de aeropuertos y a sus arrendatarios, inquilinos, concesionarios y contratistas discriminar contra cualquier persona por motivo de raza, color, nacionalidad de origen, sexo, creencias religiosas, impedimento físico o discapacidad en lo que respecta a servicios públicos y oportunidades de empleo. Las alegaciones de discriminación deberán ser dirigidas inmediatamente al Administrador del Aeropuerto o a:

Federal Aviation Administration
Office of Civil Rights, ACR-1
800 Independence Avenue, S.W.
Washington, D.C. 20591

Los reglamentos sobre discriminación ilegal están a la disposición de los interesados para su examen en la oficina del Administrador del Aeropuerto.

Coordinador:
Teléfono:
Dirección:



U.S. Department of Transportation
Federal Aviation Administration

HQ-10/068