



# Advisory Circular

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**Subject:** Access to Airports by Individuals with  
Disabilities

**Date:** Draft

**AC No:** 150/5360-14A

**Initiated By:** AAS-100

**Change:**

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1    1    **Purpose.**

2        This Advisory Circular (AC) is designed to assist airports in complying with the laws  
3        and regulations regarding individuals with disabilities by: (1) identifying the relevant  
4        statutes and regulations affecting airports; (2) presenting the main features of each of  
5        the statutes and regulations; and (3) listing sources of assistance or additional  
6        information. It presents and reconciles the federal accessibility regulations  
7        implementing the Americans with Disabilities Act of 1990 (ADA); the Air Carrier  
8        Access Act of 1986 (ACAA) as amended; the Rehabilitation Act of 1973, as amended  
9        (RA); and the Architectural Barriers Act of 1968, as amended (ABA) which affect the  
10       architectural or program accessibility of airports in the U. S. transportation system and  
11       employment opportunities at these airports for individuals with disabilities.

12    2    **Cancellation.**

13       This AC cancels AC 150/5360-14, *Access to Airports by Individuals with Disabilities*,  
14       dated June 30, 1999.

15    3    **Application.**

16       This AC applies to airports operated by public entities and those receiving federal  
17       financial assistance. The AC implements the objectives set forth in the ADA to provide  
18       technical assistance to assist entities and persons affected by its requirements to  
19       understand the law and implementing regulations. This AC has been broadened from  
20       the previous version to provide technical assistance on the ABA, the RA, and the  
21       ACAA, since these also affect the entities and persons subject to or covered by the  
22       ADA. As this AC focuses on current requirements, details about actions required to  
23       have been completed before the effective date of this AC are not provided.

24       To assist airports in providing required Service Animal Relief Areas (SARA), this AC  
25       provides a set of standards recommended for SARAs at all civil use airports. In general,  
26       use of this AC is not mandatory. However, use of the standards in this AC is mandatory

27 for all SARA projects funded under the Airport Improvement Program (AIP) or with  
28 revenue from the Passenger Facility Charges (PFC) program.

29 4 **Principal Changes.**

30 This Advisory Circular revision provides new design guidance for Service Animal  
31 Relief Areas (SARA), captures new information on web links for service animal  
32 training schools, includes new information about associations advocating accessibility  
33 needs, and updates contact information for the FAA Office of Airport Disability  
34 Compliance Program (ADC).

35 5 **Feedback on this AC.**

36 If you have suggestions for improving this AC, you may use the Advisory Circular  
37 Feedback form at the end of this AC.

38 Michael J. O'Donnell  
39 Director of Airport Safety and Standards

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**CHAPTER 1. INTRODUCTION**78 1.1 **Basis.**

79 This AC is based on federal regulations and standards. The architectural standards, in  
80 many instances, also have been published as regulations or appendices to those  
81 regulations, or have been established as requirements through regulatory action. The  
82 architectural standards, including those published as regulations, are listed in Paragraph  
83 1.3 of this AC. Other federal regulations dealing with requirements under the  
84 accessibility statutes that serve as basis for this AC appear in Paragraph 1.2. In some  
85 cases, more than one regulation, and hence more than one standard, may apply. In such  
86 instances, if there is a difference among regulations and standards, the more stringent  
87 requirement applies.

88 1.2 **Legal Requirements.**

89 The following were used as a basis for this AC:

90 1.2.1 Rehabilitation Act (RA).

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

- 101 1. 29 CFR part 1630, Regulations to Implement the Equal Employment Provisions of  
102 the Americans with Disabilities Act,
- 103 2. 9 CFR part 1640, Procedures for Coordinating the Investigation of Complaints or  
104 Charges of Employment Discrimination Based on Disability Subject to the  
105 Americans with Disabilities Act and Section 504 of the Rehabilitation Act Of 1973,
- 106 3. 28 CFR part 35, Nondiscrimination on the Basis of Disability in State and Local  
107 Government Services,
- 108 4. 28 CFR part 36, Nondiscrimination on the Basis of Disability by Public  
109 Accommodations and in Commercial Facilities,
- 110 5. 49 CFR part 37, Transportation Services for Individuals with Disabilities (ADA),  
111 and
- 112 6. 49 CFR part 38, Americans With Disabilities Act (ADA) Accessibility  
113 Specifications for Transportation Vehicles.

114 1.2.1.1 **Department of Transportation (DOT) Final Rule, 49 CFR part 27,**  
115 **Nondiscrimination on the Basis of Disability in Programs or Activities**  
116 **Receiving Federal Financial Assistance.**

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

118 1.2.1.2 **DOT Final Rule, 49 CFR part 37.**

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

127 1.2.2 Air Carrier Access Act (ACAA).

128 DOT Final Rule, 14 CFR part 382, Nondiscrimination on the Basis of Disability in Air  
129 Travel. This final rule implements the ACAA of 1986. The ACAA provides that no air  
130 carrier may discriminate against any otherwise qualified individual with a disability, by  
131 reason of such disability in the provision of air transportation. The ACAA covers  
132 aircraft accessibility; airport facilities that air carriers own, lease, operate, or otherwise  
133 control (similar regulations are under 49 CFR part 27); and issues related to provision of  
134 services, such as refusal of service, seat assignments, stowage of personal equipment,  
135 boarding and deplaning, accommodations, service animals, etc. DOT's regulation  
136 implementing the ACAA is found in 14 CFR part 382, which was amended to apply to  
137 foreign carriers, effective May 13, 2009.<sup>1</sup>

138 1.2.3 Americans with Disabilities Act (ADA).

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

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

146 1.2.3.1 **Title I - Employment – 29 CFR part 1630, Regulations to Implement**  
147 **the Equal Employment Provisions of the ADA; 29 CFR part 1602,**  
148 **Recordkeeping and Reporting Requirements under Title VII, the**  
149 **ADA and GINA (Genetic Information Nondiscrimination Act), and 29**  
150 **CFR part 1627, Records to Be Made or Kept Relating to Age: Notices**  
151 **to Be Posted.**

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

155 1.2.3.2 **Title II - Services, Programs, and Activities.**

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

160 1.2.3.2.1 Subtitle A - State and Local Governments, 28 CFR part 35,  
161 Nondiscrimination on the Basis of Disability in State and Local  
162 Government Services.

163 Title II, Subtitle A applies to all services, programs, or activities made  
164 available by a public entity, regardless of whether it receives federal  
165 financial assistance. This rule was issued by the Department of Justice  
166 (DOJ).

167 1.2.3.2.2 Subtitle B - Transportation Provided by Public Entities, 49 CFR parts 27,  
168 37, and 38, regarding transportation for individuals with disabilities.

169 An airport owned by a public entity is required to comply with only those  
170 provisions of 49 CFR parts 37 and 38 pertaining to designated or fixed  
171 route public transportation systems, found in Sections 37.33(a) and (b).  
172 This rule was issued by the DOT.

173 1.2.3.3 **Title III - Places of Public Accommodation by Private Entities, 28**  
174 **CFR part 36.**

175 This rule was issued by DOJ. Title III of the ADA addresses public  
176 accommodations, defined generally as private entities that affect  
177 commerce. Privately owned airports and airport facilities operated by  
178 concessionaires are subject to Title III of the ADA and DOJ regulations in  
179 28 CFR part 36. However, even though a concessionaire is not subject to  
180 Title II, the airport is responsible to ensure that its lessees operate their  
181 businesses in a manner which allows the airport to meet its Title II  
182 obligations. DOT regulations in 49 CFR parts 37 and 38 also cover Title  
183 III. Taxi service providers operating at an airport and private jitney or  
184 shuttle service between an airport and the surrounding area are subject to  
185 49 CFR Sections 37.5, 37.29, and 37.33(c). Transportation services  
186 provided by hotel and car rental concessionaires are subject to 49 CFR  
187 part 37 (See 49 CFR Section 37.37(b)).

- 188 1.2.3.4 **Title IV.**
- 189 Title IV of the ADA addresses telecommunications. This AC does not
- 190 address any responsibilities under Title IV, since Title IV addresses the
- 191 responsibilities of telecommunications providers, e.g.,
- 192 Telecommunications Services for Hearing-Impaired and Speech-Impaired
- 193 Individuals. (47 U.S.C. § 225).
- 194 1.2.3.5 **Title V.**
- 195 Title V of the ADA addresses a number of miscellaneous matters,
- 196 including the provision giving the United States Architectural and
- 197 Transportation Barriers Compliance Board (ATBCB – commonly known
- 198 as Access Board) the authority to issue minimum guidelines and
- 199 requirements for accessible design for facilities covered by Titles II and III
- 200 of the ADA. Under that authority, this independent federal agency
- 201 promotes equality for people with disabilities through accessible design,
- 202 and accessibility guidelines and standards. These guidelines, when
- 203 adopted and modified, as needed, by standards-setting agencies like the
- 204 DOT and DOJ are called Architectural Standards.
- 205 1.3 **Architectural Standards.**
- 206 The following architectural standards were used as a basis for this AC:
- 207 1.3.1 Americans with Disabilities Act ADA Standards for Accessible Design.
- 208 The ADA standards are issued by DOJ and DOT, and apply to facilities covered by the
- 209 ADA in new construction and alterations. DOJ’s standards apply to all facilities
- 210 covered by the ADA, except public transportation facilities, which are subject to DOT’s
- 211 standards. Both standards are very similar and are closely based on the Board’s ADA
- 212 Accessibility Guidelines (ADAAG). However, each contains a few unique provisions,
- 213 which are included in the 2010 edition of the standards. [http://www.access-](http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards)
- 214 [board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-](http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards)
- 215 [standards](http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards).
- 216 1.3.2 Architectural Barriers Act Accessibility Standards (ABAAS).
- 217 The ABA Accessibility Standards have been adopted by the General Services
- 218 Administration (GSA), the Department of Defense (DOD), and the U.S. Postal Service
- 219 (USPS). (The USPS standards do not include the non-mandatory advisory notes.)
- 220 [http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-](http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/aba-standards)
- 221 [aba-standards/aba-standards](http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/aba-standards).
- 222 1.4 **Related Reading Material.**
- 223 1. DOJ ADA, Title II, Technical Assistance Manual, and Supplements,
- 224 <http://www.ada.gov/taman2.html>.



- 225 2. DOJ ADA, Title III, Technical Assistance Manual, and Supplement,  
226 <http://www.ada.gov/taman3.html>.
- 227 3. DOJ ADA Best Practices Tool Kit for State and Local Governments,  
228 <http://www.ada.gov/pcatoolkit/toolkitmain.htm>.
- 229 4. FAA AC No. 150/5360-12, Airport Signing and Graphics,  
230 [http://www.faa.gov/airports/resources/advisory\\_circulars/index.cfm/go/document.current/documentNumber/150\\_5360-12](http://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentNumber/150_5360-12).
- 231
- 232 5. FAA AC No. 150/5220-21, Aircraft Boarding Equipment,  
233 [http://www.faa.gov/airports/resources/advisory\\_circulars/index.cfm/go/document.current/documentNumber/150\\_5220-21](http://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentNumber/150_5220-21).  
234

235 1.5 **Technical Assistance.**

236 1.5.1 FAA Office of Civil Rights (ACR).

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

247 Airport Disability Compliance Program

248 Federal Aviation Administration – Office of Civil Rights

249 2300 East Devon Avenue, Suite 440

250 Des Plaines, IL 60018

251 (847) 294-7209

252 Fax: (847) 294-7265

253 TTY: (800) 526-0844

254 Email: [9-AGL-ADA-504@faa.gov](mailto:9-AGL-ADA-504@faa.gov)

255 1.5.2 FAA Airports Offices.

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

258 [http://www.faa.gov/airports/news\\_information/contact\\_info/regional/](http://www.faa.gov/airports/news_information/contact_info/regional/).

- 259 1.6 **Definitions.**
- 260 1.6.1 Airport Operator.  
261 Public agency or private entity that has ownership and/or management control (short-  
262 term and long-term planning, financial performance, maintenance, operation) of an  
263 airport.
- 264 1.6.2 Auxiliary Aids and Services.  
265 Qualified interpreters, note takers, transcription services, written materials, telephone  
266 handset amplifiers, assistive listening devices, assistive listening systems, telephones  
267 compatible with hearing aids, closed caption decoders, open and closed captioning,  
268 Telecommunications Device for the Deaf (TDD), videotext displays, or other effective  
269 methods of making aurally delivered materials available to individuals with hearing  
270 impairments; qualified readers, taped texts, audio recordings, brailled materials, large  
271 print materials, or other effective methods of making visually delivered materials  
272 available to individuals with visual impairments; acquisition or modification of  
273 equipment or devices; and other similar services and actions. (28 CFR § 35.104).
- 274 1.6.3 Commercial Service Airport.  
275 A public airport that enplanes 2,500 or more passengers annually and receives  
276 scheduled passenger aircraft service. (49 U.S.C. § 47102)(7)).
- 277 1.6.4 Concessionaire.  
278 A firm that owns and controls a concession or a portion of a concession. (49 CFR §  
279 23.3).
- 280 1.6.5 Designated Public Transportation.  
281 Transportation provided by a public entity (other than public school transportation) by  
282 bus, rail, or other conveyances (other than transportation by aircraft or intercity or  
283 commuter rail transportation) that provides the general public with general or special  
284 service, including charter service, on a regular and continuing basis. (49 CFR § 37.3).
- 285 1.6.6 Disability.  
286 With respect to an individual, a physical or mental impairment that substantially limits  
287 one or more major life activities of such individual; a record of such an impairment; or  
288 being regarded as having such an impairment. (28 CFR § 35.104). The November 1,  
289 1996, amendment to 49 CFR part 27 and 14 CFR part 382 substituted the term  
290 "disability" in lieu of "handicap" to reflect an amendment to Section 504 and to be  
291 consistent with the ADA, ADAAA, and ACAA.
- 292 1.6.7 Discrimination.  
293 Denying a person with disabilities the opportunity to participate in or benefit from any  
294 program or activity receiving federal financial assistance. (49 CFR § 27.5).

295 1.6.8 Facility.

296 1.6.8.1 For purposes of Section 504, the term “facility” means any or all portion  
297 of buildings, structures, vehicles, equipment, roads, walks, parking lots, or  
298 other real or personal property or interest in such property. (49 CFR §  
299 27.5).

300 1.6.8.2 For purposes of Title II of the ADA, the term “facility” means any or all  
301 portions of buildings, structures, sites, complexes, equipment, rolling  
302 stock or other conveyances, roads, walks, passageways, parking lots, or  
303 other real or personal property, including the site where the building,  
304 property, structure, or equipment is located. (28 CFR § 35.104).

305 1.6.9 Federal Financial Assistance.

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

- 309 1. Funds;
- 310 2. Services of federal personnel; and
- 311 3. Real or personal property or any interest in, or use of such property, including:
- 312 a. Transfers or leases of such property for less than fair market value or for  
313 reduced consideration; and
- 314 b. Proceeds from a subsequent transfer or lease of such property if the federal  
315 share of its fair market value is not returned to the Federal Government (49 CFR  
316 § 27.5).

317 1.6.10 Fixed Route System.

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

323 1.6.11 Primary Airport Recipient.

324 Any airport operator authorized or required to extend federal financial assistance from  
325 the DOT to another airport operator for the purpose of carrying out a program. (49 CFR  
326 § 27.5). Note that for the purposes of this AC, the word primary does not relate to the  
327 activity level of the airport.

328 1.6.12 Public Accommodation.

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

331 1.6.13 Qualified Individual.

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

337 1.6.14 Regarded as having such an Impairment.

338 An individual who has a physical or mental impairment that does not substantially limit  
339 major life activities, but who is treated by a public or private entity as constituting such  
340 a limitation; has a physical or mental impairment that substantially limits a major life  
341 activity only as a result of the attitudes of others toward such an impairment; or has  
342 none of the impairments defined but is treated by a public or private entity as having  
343 such an impairment. (49 CFR § 37.3).

344 1.6.15 Recipient.

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

352 1.6.16 Service Animal.<sup>2</sup>

353 Any guide dog, signal dog, or other animal individually trained to do work or perform  
354 tasks for the benefit of an individual with a disability, including, but not limited to,  
355 guiding individuals with impaired vision, alerting individuals with impaired hearing to  
356 intruders or sounds, providing minimal protection or rescue work, providing emotional  
357 support, pulling a wheelchair, or fetching dropped items. (49 CFR § 37.3).

358 1.6.17 Sponsor.

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

361 1.6.18 Sterile Area.

362 A portion of an airport, specified in the airport security program, in which certain  
363 security measures specified in 49 CFR part 1542, Airport Security, are carried out. This  
364 area is where aircraft operators and foreign air carriers that have a security program  
365 under 49 CFR part 1544, Aircraft Operator Security: Air Carriers and Commercial  
366 Operators, or part 1546, Foreign Air Carrier Security, enplane and deplane passengers,

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<sup>2</sup> A public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. (28 CFR § 35.136).

367 and sort and load baggage. Also includes any adjacent areas that are not separated by  
368 adequate security measures. (49 CFR part 1540, Civil Aviation Security: General  
369 Rules).

370 1.6.19 Terminal.

371 For the purposes of this AC, a terminal is a distinct area common to and prior to any  
372 Transportation Security Administration (TSA) checkpoint, or a distinct sterile area  
373 common to and beyond one or more TSA checkpoints. Each non-sterile area that is  
374 housed in a separate building is considered a separate terminal, and any sterile area that  
375 can be accessed only through a specific checkpoint or checkpoints is considered a  
376 separate terminal.

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**Table 2-1. Summary of Regulatory Requirements**

<b>The following statutory requirement...</b>	<b>Is codified at...</b>	<b>Is implemented in the following regulation...</b>	<b>And applies to the following entities</b>
Title I of the ADA	42 U.S.C. § 12112 <a href="#">Pub. L. 101-336, title I, § 102</a>	29 CFR part 1630 <a href="http://www.ecfr.gov">http://www.ecfr.gov</a>	Any private or public entity that employs more than 15 people
Title II of the ADA	42 U.S.C. 12132 <a href="#">Pub. L. 101-336, title II, § 202</a>	28 CFR part 35 <a href="http://www.ecfr.gov">http://www.ecfr.gov</a>	Public entities; all activities, services, and programs of state and local government
Title III of the ADA	42 U.S.C. 12182 <a href="#">Pub. L. 101-336, title II, § 302</a>	28 CFR part 36 <a href="http://www.ecfr.gov">http://www.ecfr.gov</a>	Any public services and accommodations operated by private entities
Section 504 of the RA of 1973 (Public Law 93-112)	29 U.S.C. § 794	49 CFR part 27 <a href="http://www.ecfr.gov">http://www.ecfr.gov</a>	Programs receiving federal financial assistance
Air Carrier Access Act of 1986	49 U.S.C. § 41705	14 CFR part 382 <a href="http://www.ecfr.gov">http://www.ecfr.gov</a>	U.S. and foreign air carriers

400 2.2 **Administrative Requirements.**

401 2.2.1 Coordinators.

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

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

407 2.2.2 Complaint Procedures.

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

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

416 2.2.3 Notice.

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



- 419           2.2.3.1       **Title II of the ADA.**  
420                           28 CFR § 35.106 requires airports to provide notice to "applicants,  
421                           participants, beneficiaries, and other interested persons" information  
422                           regarding the provisions of this part and its applicability to the services,  
423                           programs, or activities of the public entity, and make such information  
424                           available to them in such manner as the head of the entity finds necessary  
425                           to apprise such persons of the protections against discrimination assured  
426                           them by the Act and this part; and
- 427           2.2.3.2       **Section 504.**  
428                           49 CFR § 27.15 requires airports to take appropriate initial and continuing  
429                           steps to notify "participants, beneficiaries, applicants, and employees"  
430                           including those with hearing and vision impairments, and to unions. The  
431                           notice must include the following information:  
432                           1. The airport operator does not discriminate on the basis of disability in  
433                           admission to, access to, treatment of, or employment in its programs,  
434                           services, and activities; and  
435                           2. Identification of its designated Coordinator. See Appendix C.
- 436   2.2.4    Self-Evaluations.  
437                           Airports are required to review their programs, activities, services, policies, and  
438                           practices, to evaluate their compliance with the applicable regulations, and to take any  
439                           appropriate remedial action. Both the ADA and Section 504 require that the airport  
440                           provide for the participation of interested persons, including persons with disabilities,  
441                           and organizations representing persons with disabilities in the evaluation.
- 442           2.2.4.1       **ADA.**  
443                           28 CFR § 35.105 requires all entities to conduct the evaluation. All  
444                           airports should have completed this process and met all requirements.  
445                           While this requirement to conduct a self-evaluation is not extended in the  
446                           revised regulations, and because many Section 504 self-evaluations were  
447                           conducted as long as four decades ago and programs tend to change, DOJ  
448                           encourages entities to continue with self-evaluations to determine  
449                           compliance with the current and future revisions and resulting changes in  
450                           regulatory requirements. Under Title II of the ADA, if an airport had  
451                           previously conducted a self-evaluation under Section 504, only those  
452                           policies and practices that were not included in the initial evaluation  
453                           needed to be evaluated. However,
- 454           2.2.4.2       **Section 504.**  
455                           49 CFR § 27.11(c)(2) requires that all airports conduct an evaluation and  
456                           notify ACR of the persons responsible for evaluating its compliance and  
457                           for the completion of the evaluation. Airports are specifically required to  
458                           take the following actions:  
459                           1. Evaluate current policies and practices;

- 460 2. Identify shortcomings and describe the methods to remedy; and  
 461 3. Begin to modify any policies or practices that do not meet the  
 462 requirements of this part.
- 463 **Note:** After each of these steps, the airports must consult with persons  
 464 with disabilities and organizations representing persons with disabilities.

- 465 2.2.4.3 The airports must then also:
- 466 1. Take remedial steps to eliminate the effects of any discrimination  
 467 caused by the violations; and
- 468 2. Establish a system for periodically reviewing and updating the  
 469 evaluation. All airports must keep the evaluation on file for three  
 470 years. (49 CFR §§ 27.11(c)(2) and (3)).

471 2.3 **Employment.**

472 Both Title II of the ADA and Section 504 regulations incorporate the prohibition on  
 473 employment discrimination from Title I of the ADA. (28 CFR § 35.140 and 49 CFR §  
 474 27.19). Both rules also incorporate the EEOC requirements found in 29 CFR part 1630,  
 475 including prohibitions on discrimination in job application procedures, hiring, firing,  
 476 advancement, compensation, training, and other terms, conditions, and privileges of  
 477 employment, as well as recruitment, advertising, tenure, layoff, leave, fringe benefits,  
 478 and all other employment-related activities.

479 2.3.1 DOJ ADA Title I employment provisions apply to private employers and state and local  
 480 government (as well as employment agencies and labor unions) that employ at least 15  
 481 employees;

482 2.3.2 DOJ ADA Title II employment provisions apply to all state and local governments  
 483 covered, regardless of the number of employees or any receipt of federal funding;

484 1. EEOC's standards for compliance can be found in 29 CFR part 1630;

485 2. If the airport operator is not covered by Title I, the standards for compliance are  
 486 found at DOJ regulations, 28 CFR part 41, Implementation of Executive Order  
 487 12250, Nondiscrimination on the Basis of Handicap in Federally Assisted Programs,  
 488 which empowers the DOT to issue regulations to implement Section 504 with  
 489 respect to programs and activities to which it provides assistance.

490 2.3.3 Section 504 employment provisions.

- 491 1. 49 CFR § 27.19 covers employment for operators, regardless of the number of  
 492 employees;
- 493 2. 29 CFR part 1630 requires compliance with the EEOC regulation.

- 494 2.4 **Program Accessibility.**
- 495 2.4.1 28 CFR § 35.150(a).
- 496 An airport operator must ensure that its services, programs, or activities are accessible  
497 to persons with disabilities.
- 498 2.4.2 28 CFR § 35.130(b)(7).
- 499 Airports must make reasonable modifications to their policies, practices, or procedures  
500 when the modifications are necessary to avoid discrimination on the basis of disability,  
501 unless the airport can demonstrate that the modifications would fundamentally alter the  
502 nature of the service, program, or activity.
- 503 2.4.3 28 CFR § 35.150(a)(3).
- 504 Airports are not required to take any action that will result in a fundamental alteration in  
505 the nature of a service, program, or activity that would result in undue financial and  
506 administrative burdens.
- 507 2.4.4 28 CFR § 35.150(b).
- 508 Existing facilities must be accessible to and usable by individuals with disabilities.  
509 Public entities must give priority to those methods that provide services, programs, and  
510 activities in the most integrated setting appropriate for persons with disabilities.
- 511 2.5 **Physical Accessibility.**
- 512 The design and construction of new buildings and the alterations and the necessary  
513 structural modifications to existing buildings must comply with accessibility standards  
514 under Title II and Section 504.
- 515 2.5.1 Design Standards.
- 516 Airports may only use the 2010 ADA Standards for Accessible Design (2010  
517 Standards) when constructing a new building or altering/renovating an existing  
518 building. In the past, airports were allowed to use the Uniform Federal Accessibility  
519 Standards (UFAS) or the 1991 ADA Standards for Accessible Design (1991 Standards).
- 520 2.5.2 Structural Changes.
- 521 All airports under Section 504 were required to submit a transition plan to the FAA for  
522 approval "where extensive structural changes" were necessary. Chapter 4 provides  
523 additional information on transition plans.
- 524 2.5.3 Title II Regulations.
- 525 Airports subject to Title II regulations that employ 50 or more persons and need any  
526 structural modifications were to develop transition plans by July 26, 1992. The plan  
527 had specific requirements. The airport was required to provide an opportunity to  
528 interested persons, including individuals with disabilities or organizations representing  
529 individuals with disabilities, to participate in the development of the plan. If an airport  
530 already had developed a transition plan under Section 504, it needed only to review the

531 policies and practices not included in the previous transition plan. (28 CFR §  
532 35.150(d)(4)).

533 2.5.4 Accessibility Standards.

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

538 2.5.4.1 The ADA Standards for Accessible Design (Standards), applicable to  
539 airport facilities, is the standard for accessibility that applies to airports.  
540 (49 CFR § 27.71 (e)). The applicability of the Standards is based on the  
541 construction date of the specific structure. If the structure was built and  
542 not renovated or altered before the 1991 Standards were in effect, then the  
543 entity will not be required to meet the 1991 Standards. Under the 1991  
544 Standards, airports are expected to meet requirements under Section 10.4,  
545 but for new construction and alterations, airports must follow 2010  
546 standards. However, if the facility was built, altered or renovated after the  
547 1991 Standards came into effect, requirements under the 1991 Standards  
548 had to be met. With the establishment of the ADA Standards for  
549 Acceptable Design, airports need to address requirements under these  
550 Standards when a facility is newly constructed, altered, or renovated after  
551 March 15, 2012. These Standards apply to facilities in the private sector  
552 (places of public accommodation and commercial facilities) and to state  
553 and local government facilities, such as the airports, operated by such  
554 entities.

555 2.5.4.2 **UFAS.**

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

557 2.5.5 Historic Preservation.

558 The DOJ Title II regulation makes allowances for accessibility to historic properties.  
559 (28 CFR §§ 35.150(a)(2), 35.150(b)(2), and 35.151(d)).

560 2.5.6 Specific Airport Provisions.

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

566 2.5.6.1 Airports must ensure that there is an accessible path between the gate and  
567 the area from which aircraft are boarded. (49 CFR § 27.71(c)).

- 568 2.5.6.2 Systems of inter-terminal transportation, including, but not limited to,  
569 shuttle vehicles and people movers, must comply with applicable  
570 requirements of the DOT Section 504 rules. (49 CFR § 27.71(d)).
- 571 2.5.6.3 The 1991 Standard, including Section 10.4 concerning airport facilities, is  
572 the standard for accessibility that applies to airports. (49 CFR § 27.71(e)).  
573 For any new construction or alteration, airports must use the 2010  
574 Standards. (28 CFR § 35.151(c)).
- 575 2.5.6.4 Contracts or leases between carriers and airports concerning the use of  
576 airport facilities must set forth the respective responsibilities of the parties  
577 for the provision of accessible facilities and services to individuals with  
578 disabilities as required by 49 CFR § 27.71(f) and provisions of 14 CFR  
579 part 382, as amended, implementing the ACAA.
- 580 2.5.6.5 28 CFR § 35.136 defines Service Animals and requires public entities to  
581 permit the use of a service animal by an individual with a disability.  
582 Individuals with disabilities must be permitted to be accompanied by their  
583 service animals in all areas of a public entity's facilities where members of  
584 the public, participants in services, programs or activities, or invitees, as  
585 relevant, are allowed to go. In addition, a public entity must make  
586 reasonable modifications in policies, practices, or procedures to permit the  
587 use of a miniature horse that has been individually trained to do work or  
588 perform tasks for the benefit of the individual with a disability; and
- 589 2.5.6.6 49 CFR Part 27 mandates that primary airports shall cooperate with air  
590 carriers to provide wheelchair accessible animal relief areas for service  
591 animals that accompany passengers departing, connecting, or arriving at  
592 the airport. In doing so, airports must consult with service animal training  
593 organizations regarding the design, dimensions, materials, and  
594 maintenance of the SARA. Airports must establish at least one relief area  
595 in each airport terminal in the sterile area. If the relief area is located  
596 outside the sterile area consistent with 49 CFR Part 27, the airport must  
597 retain documentation evidencing agreement with the service animal  
598 training organizations and the air carriers about the non-sterile area  
599 location. (49 CFR § 27.71(h)(2) and (3) and 14 CFR § 382.51(a)(5)).
- 600 2.5.6.6.1 To assist airports in providing SARA and complying with regulations, this  
601 AC includes a set of standards that may be used as  
602 guidelines/recommendations where compliance with this AC is not  
603 mandatory. See 501. b(3) and Appendix A for SARA.
- 604 2.6 **Communications.**  
605 Airports are required to take appropriate steps to ensure that their communications with  
606 individuals with disabilities are as effective as communications with other individuals,  
607 beneficiaries, and members of the public. In addition, under the 2010 ADA Standards

608 for Accessible Design, there are signage requirements that address the need for  
609 directional and informational signs that communicate information about the location  
610 and availability of accessible services including areas of refuge and means of egress.  
611 Airports are also required to enable or ensure that closed captioning is functioning at all  
612 times on all audio visual displays that are capable of displaying captions. (49 CFR §  
613 27.71(i)).

614 2.6.1 28 CFR part 35 requires the following for persons with impaired hearing, vision, or  
615 speech:

- 616 1. CFR § 35.161 requires where an airport communicates by telephone with applicants  
617 and beneficiaries, that equally effective telecommunications systems are used to  
618 communicate with individuals who are deaf, hard of hearing, or have speech  
619 impairments;
- 620 2. 28 CFR § 35.162 requires telephone emergency services, including 911 services, to  
621 provide direct access to individuals who use TDD's and computer modems;
- 622 3. 28 CFR §35.163(a) requires access to information about the existence and location  
623 of accessible services, activities, and facilities;
- 624 4. 28 CFR § 35.163(b) requires signage at all inaccessible entrances directing users to  
625 an accessible entrance or to a location to obtain the information about accessible  
626 facilities; and
- 627 5. 28 CFR § 35.163(b) also requires the use of the international symbol for  
628 accessibility at each accessible entrance of the facility.

629 2.6.2 Section 217 of the 2010 ADA Standards provides standards for public pay telephones.

630 2.6.3 Section 810.8 of the 2010 ADA Standards provides standards for clocks.

## 631 2.7 **Vehicle and Transportation Systems Accessibility.**

632 Under DOT ADA Title II, Subpart B, and Title III regulations in 49 CFR parts 37 and  
633 38, public entities that provide designated or specified public transportation or intercity  
634 or commuter rail transportation must provide access for persons with disabilities. Since  
635 transportation by aircraft is excluded from the definition of designated or specified  
636 transportation, these regulations have limited applicability to airports. The areas of the  
637 regulation that apply are summarized below.

### 638 2.7.1 49 CFR § 37.33.

639 This section specifically addresses an airport's responsibilities in reference to airport-  
640 operated transportation systems. If an airport is operating a transportation system that  
641 provides designated public transportation (and connects parking lots and terminals or  
642 provides transportation among terminals) it is subject to the requirements in 49 CFR  
643 part 37 for fixed-route and demand-responsive systems. Airports that operate fixed-  
644 route transportation systems are subject to the requirements in 49 CFR part 37 for  
645 commuter bus service operated by public entities. The provision by an airport of

646 additional accommodations (e.g., parking spaces in a close-in lot) is not a substitute for  
647 meeting the requirements in 49 CFR § 37.33(a); and

648 2.7.2 Fixed-route transportation systems.

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

653 2.7.2.1 **Private Entity Transportation Systems.**

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

661 2.7.2.2 **Taxis.**

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

670 2.7.2.3 **Private Entities Not Primarily Engaged in Transportation.**

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

675 2.8 **Aircraft and Air Carrier Facility Accessibility.**

676 Aircraft accessibility is generally addressed by the ACAA, which applies to U.S. and  
677 foreign air carriers. However, Section 504 of the RA does place some responsibility for  
678 access to aircraft (U.S. and foreign air carriers) on the airport operator. (49 CFR §  
679 27.72).

680 2.8.1 Airport Facilities.

681 Airport terminal facilities include parking and ground transportation facilities, owned,  
682 leased, or operated by commercial service airports that are recipients of DOT financial  
683 assistance. (49 CFR § 27.71(a)). Under 14 part 382, an air carrier is responsible for  
684 accessible facilities to the extent that it controls the selection, design, construction, or

685 alteration of the property. (14 CFR § 382.51). It is the airport's responsibility to ensure  
686 that leases or contracts between airports and air carriers concerning the use of airport  
687 facilities define the respective responsibilities for providing accessible facilities and  
688 services to individuals with disabilities. (49 CFR § 27.71(f)). Carriers have a  
689 reciprocal responsibility regarding such leases and contracts. (14 CFR §  
690 C.382.51(a)(4)).

691 2.8.1.1 **Accessible Path.**

692 It is the airport's responsibility to ensure that a passenger with a disability  
693 can move through the airport to the aircraft boarding area. (49 CFR §  
694 27.71(c)).

695 2.8.1.2 **Shared-use automated airport kiosks.**

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

698 2.8.1.2.1 Airports that jointly own, lease, or control automated airport kiosks with  
699 carriers at U.S. airports must ensure that all shared-use automated kiosks  
700 installed on or after December 12, 2016, meet the technical accessibility  
701 standards with respect to their physical design and the functions they  
702 perform as detailed in 49 CFR § 27.71(k) until at least 25 percent of  
703 kiosks provided in each location at the airport (i.e., each cluster of kiosks  
704 and all stand-alone kiosks at the airport) meet this specification.

705 2.8.1.2.2 Airports must ensure that at least 25 percent of shared-use automated  
706 airport kiosks they jointly own, lease, or control with carriers in each  
707 location at the airport conform to the technical accessibility standards with  
708 respect to their physical design and the functions they perform as detailed  
709 in 49 CFR § 27.71(k) by December 12, 2022.

710 2.8.2 **Boarding Assistance for Small Aircraft.**

711 Lifts, ramps, or other suitable devices not normally used for the movement of freight  
712 must be available, if the terminals at such airports are not equipped with passenger  
713 loading bridges or passenger lounges for boarding and deplaning. (See AC 150/5220-  
714 21C, Aircraft Boarding Equipment). Each airport operator must negotiate in good faith  
715 with each U.S. and foreign air carrier serving the airport concerning the acquisition and  
716 use of assistance devices. The airport operator and the U.S. and foreign carrier(s) must  
717 sign a written agreement allocating responsibility for meeting the boarding assistance  
718 requirements of this section between or among parties. The agreement must be made  
719 available, on request, to representatives of the DOT. All U.S. carriers and airports  
720 involved are jointly responsible for the timely and complete implementation of the  
721 agreement. (49 CFR § 27.72(c)(1) and (2)). The airport operator has the responsibility  
722 to train personnel to be proficient in using airport owned or operated boarding  
723 assistance equipment for small aircraft and be knowledgeable of boarding assistance  
724 procedures that safeguard the safety and dignity of passengers. (49 CFR § 27.72(d) and  
725 (e)). Carriers also have responsibilities concerning their written agreements with



726 airports to provide the boarding and deplaning assistance required by 14 CFR § 382.95  
727 where level entry loading bridges are not available (also see 14 CFR § 382.99).

728 2.9 **Conditions Not Considered Disabilities.**

729 Examples of such conditions include:

- 730 1. 28 CFR § 35.104. Sexual behavior disorders;
- 731 2. 28 CFR § 35.104. Compulsive gambling, kleptomania, and pyromania;
- 732 3. 28 CFR § 35.104. Psychoactive substance use disorders resulting from current  
733 illegal use of drugs; and
- 734 4. 28 CFR § 35.132. Appendix A to 28 CFR part 35: Sensitivity to Tobacco Smoke.<sup>3</sup>

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<sup>3</sup> DOJ has declined to state categorically that an allergy or sensitivity to cigarette smoke is a disability because the determination as to whether an impairment is a disability depends on whether, given the particular circumstances at issue, the impairment substantially limits one or more major life activities (or there is a history of or is regarded as having such an effect).

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**CHAPTER 3. TECHNICAL ASSISTANCE**737 3.1 **FAA Office of Civil Rights and the Airport Disability Compliance Program Staff.**

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

744 Airport Disability Compliance Program (ADCP)

745 Office of Civil Rights

746 Federal Aviation Administration

747 2300 E. Devon Avenue, Suite 440

748 Des Plaines, IL 60018

749 Phone: 847-294-7209

750 Fax: 847-294-7265

751 [http://www.faa.gov/about/office\\_org/headquarters\\_offices/acr/com\\_civ\\_support/](http://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/)

752 Email: [9-AGL-ADA-504@faa.gov](mailto:9-AGL-ADA-504@faa.gov)

753 3.2 **Non-discrimination Legislation.**

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

756 5. The Americans with Disabilities Act: [www.ada.gov](http://www.ada.gov);

757 6. Non-discrimination on the Basis of Disability in Programs and Activities Receiving  
758 or Benefiting from Federal Financial Assistance (49 CFR part 27):

759 [http://www.ecfr.gov/cgi-bin/text-  
760 idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr27\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr27_main_02.tpl).

761 7. Air Carrier Access Act (14 CFR part 382): [http://www.ecfr.gov/cgi-bin/text-  
762 idx?c=ecfr&tpl=/ecfrbrowse/Title14/14cfr382\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title14/14cfr382_main_02.tpl).

763 8. DOT Final Rule Adopting New Accessibility Standards-  
764 [http://www.fta.dot.gov/12325\\_5936.html](http://www.fta.dot.gov/12325_5936.html).

765 3.3 **Accessibility Standards.**

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

768 1. 1991 ADA Standards: [www.ada.gov](http://www.ada.gov);

769 2. 2010 Standards: [www.ada.gov](http://www.ada.gov);

- 770 3. ADA Standards for Transportation Facilities: [www.access-board.gov](http://www.access-board.gov);
- 771 4. Accessibility Specifications for Transportation Vehicles (49 CFR part 38):
- 772 [http://www.ecfr.gov/cgi-bin/text-](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr38_main_02.tpl)
- 773 [idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr38\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr38_main_02.tpl).

774 3.4 **Disability/Accessibility Organizations.**

775 These sites provide assistance in learning the priorities of the disability community,

776 their interpretation of legislation, and the issues they are advocating for. These

777 organizations have information about the latest technological innovations that will

778 improve accessibility.

- 779 1. American Association of People with Disabilities ([www.aapd.com](http://www.aapd.com));
- 780 2. American Council of the Blind ([www.acb.org](http://www.acb.org));
- 781 3. American Foundation for the Blind ([www.afb.org](http://www.afb.org));
- 782 4. Assistance Dogs International ([www.assistedogsinternational.org](http://www.assistedogsinternational.org));
- 783 5. Canine Assistants ([www.canineassistants.org](http://www.canineassistants.org));
- 784 6. Canine Companions for Independence ([www.cci.org](http://www.cci.org));
- 785 7. The Center for Universal Design ([www.ncsu.edu/ncsu/design/cud](http://www.ncsu.edu/ncsu/design/cud));
- 786 8. Disability and Business Technical Assistance Centers ([www.adata.org](http://www.adata.org));
- 787 9. Disability Rights Education and Defense Fund ([www.dredf.org](http://www.dredf.org));
- 788 10. Disability Statistics Center ([www.dsc.ucsf.edu](http://www.dsc.ucsf.edu));
- 789 11. Gallaudet University ([www.gallaudet.edu](http://www.gallaudet.edu));
- 790 12. Guide Dog Users, Inc. (<http://guidedogusersinc.org/>);
- 791 13. International Association of Dog Assistance Partners ([www.iaadp.org](http://www.iaadp.org));
- 792 14. Job Accommodation Network ([www.askjan.org](http://www.askjan.org));
- 793 15. Leader Dogs for the Blind ([www.leaderdog.org](http://www.leaderdog.org));
- 794 16. Little People of America ([www.lpaonline.org](http://www.lpaonline.org));
- 795 17. Mobility International USA ([www.miusa.org](http://www.miusa.org));
- 796 18. National Association of Guide Dog Users ([www.nagdu.org](http://www.nagdu.org));
- 797 19. National Association of the Deaf ([www.nad.org](http://www.nad.org));
- 798 20. National Council on Independent Living ([www.ncil.org](http://www.ncil.org));
- 799 21. National Federation of the Blind ([www.nfb.org](http://www.nfb.org));
- 800 22. National Organization on Disability ([www.nod.org](http://www.nod.org));
- 801 23. NEADS/Dogs for Deaf and Disabled Americans ([www.neads.org](http://www.neads.org));
- 802 24. Open Doors Organization ([www.opendoorsnfp.org](http://www.opendoorsnfp.org));

- 803 25. Paralyzed Veterans of America ([www.pva.org](http://www.pva.org));
- 804 26. Paws with a Cause ([www.pawswithacause.org](http://www.pawswithacause.org));
- 805 27. Rehabilitation Engineering Research Center on Accessible Public Transportation
- 806 ([www.ercapt.org](http://www.ercapt.org));
- 807 28. The Seeing Eye Inc. ([www.seeingeye.org](http://www.seeingeye.org));
- 808 29. United Spinal Association ([www.unitedspinal.org](http://www.unitedspinal.org));
- 809 30. United States Access Board ([www.access-board.gov](http://www.access-board.gov));
- 810 31. Working like Dogs ([www.workinglikedogs.com](http://www.workinglikedogs.com));
- 811 32. World Institute on Disability ([www.wid.org](http://www.wid.org)).

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**CHAPTER 4. TRANSITION PLANS**814 4.1 **Transition Plan Standards.**

815 Transition plans were required for airport facilities owned by airports by November 1,  
816 1996, as part of the amendment to 49 CFR § 27.71(g)). This was to ensure that  
817 facilities, including streets, roads, and walkways achieved program accessibility.  
818 Currently, airports must ensure that their existing facilities meet accessibility  
819 requirements and, if not, to implement a transition plan immediately to assess the  
820 current state and prepare a reasonable plan to achieve program accessibility. An  
821 opportunity for interested persons, including individuals with disabilities or  
822 organizations representing individuals with disabilities, to participate in the  
823 development of the transition plan is encouraged. A self-evaluation to determine  
824 compliance with applicable rules and regulations is the first step in addressing  
825 compliance and then establishing a plan for corrective action. This transition plan for  
826 corrective action should be available for review by ADCP.

827 4.2 **Existing Facilities.**

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

830 4.2.1 28 CFR § 35.150 requires that, subject to certain limitations, each service, program, or  
831 activity operated by an airport operator, when viewed in its entirety, must be readily  
832 accessible to and usable by individuals with disabilities. An airport operator is not  
833 required to make structural changes to existing facilities where other methods are  
834 effective in achieving compliance. Such other methods include redesign of equipment,  
835 reassignment of services to accessible buildings, and assignment of aides to  
836 beneficiaries.

837 4.2.2 Appendix A to 28 CFR part 35 reinforces these concepts. It states in part that structural  
838 changes in existing facilities are required only when there is no other feasible way to  
839 make the airport's program accessible. (It should be noted that "structural changes"  
840 include all physical changes to a facility; the term does not refer only to changes to  
841 structural features, such as removal of or alteration to a load bearing structural  
842 member.) The requirements of § 35.151 for alterations apply to structural changes  
843 undertaken to comply with this Section. (28 CFR part 35, § 35.150, and Appendix A,).

844 4.3 **Periodic Reviews.**

845 49 CFR § 27.11(c)(2)(v) requires airports to establish a system for periodically  
846 reviewing and updating the self-evaluation required by paragraph (c)(2) of that Section.  
847 28 CFR § 35.151 requires that new construction and alterations be accomplished in  
848 accordance with appropriate design standards which, depending on the date of  
849 construction, can be the UFAS, 1991 Standards or 2010 Standards.

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851 **CHAPTER 5. OVERVIEW OF ARCHITECTURAL BARRIERS ACT**852 5.1 **Architectural Barriers Act (ABA).**

853 The following ABA requirements apply to recipients of federal financial assistance  
854 from DOT:

855 5.1.1 ATBCB Final Rule, 36 CFR part 1190, Minimum Guidelines and Requirements for  
856 Accessible Design.

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

879 5.1.2 Exceptions to compliance requirements.

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

882 5.1.2.1 **Exceptions to GSA Standards.**

883 GSA's accessibility standards do not apply to:

884 5.1.2.1.1 The design, construction, alteration, or lease of any portion of a building  
885 which need not, because of its intended use, be made accessible to, or  
886 usable by, the public or by people with disabilities;

887 5.1.2.1.2 The alteration of an existing building if the alteration does not involve the  
888 installation of, or work on, existing stairs, doors, elevators, toilets,  
889 entrances, drinking fountains, floors, telephone locations, curbs, parking

- 890 areas, or any other facilities susceptible to installation or improvements to  
891 accommodate people with disabilities;
- 892 5.1.2.1.3 The alteration of an existing building, or of portions thereof, to which  
893 application of the standards is not structurally possible;
- 894 5.1.2.1.4 The construction or alteration of a building for which plans and  
895 specifications were completed or substantially completed on or before  
896 September 2, 1969; provided, however, that any building constructed  
897 under authority of the National Capital Transportation Act of 1960, the  
898 National Capital Transportation Act of 1965, or Title III of the  
899 Washington Metropolitan Area Transit Regulation Compact must be  
900 designed, constructed, or altered in accordance with the UFAS regardless  
901 of design status or bid solicitation as of September 2, 1969; and
- 902 5.1.2.1.5 The leasing of space when it is found after receiving bids or offers and  
903 otherwise legally acceptable that a proposal meets most of the  
904 requirements of the UFAS. If no offeror or bidder meets all the  
905 requirements, then preference must be given to the offeror or bidder who  
906 most nearly meets the UFAS. If the award is proposed for a firm other  
907 than the one that most nearly meets the UFAS and whose bid or offer is  
908 reasonable in price and is otherwise legally acceptable, a waiver or  
909 modification of the standards must be obtained.
- 910 5.1.2.2 **Waiver or Modification of Standards.**  
911 The applicability of the UFAS may be modified or waived on a case-by-  
912 case basis upon application to GSA by the head of the department, agency,  
913 or instrumentality of the United States concerned only if the Administrator  
914 of the General Services determines that such waiver or modification is  
915 clearly necessary.
- 916 5.1.2.3 **Other UFAS Exceptions.**  
917 UFAS also contains numerous scoping and technical exceptions.

918           **APPENDIX A. STANDARDS FOR SERVICE ANIMAL RELIEF AREAS (SARA)**

919    A.1       **General.**

920    The SARA standards below have been developed in collaboration with nationally recognized  
921    service animal training organizations and groups of users of service animals.

922    A.2       **Number.**

923    SARA must be located on an accessible route to each terminal. One relief area may serve two or  
924    more terminals if travel to and from it meets reasonable transit times as defined in paragraph A.3.

925    A.3       **Transit time.**

926        The design transit time from any gate to a relief area is no more than 15 minutes, based  
927        on a walking pace of 200 ft/min. Any expected time spent using transportation vehicles  
928        and waiting time for an escort, wheelchair, or elevators is included in this total transit  
929        time.

930    A.4       **Size and shape.**

931        The SARA may be of any shape, but must be designed to accommodate a person using  
932        a wheelchair handling a service animal on a six-foot leash. In busier locations, a relief  
933        area may be sized to accommodate more than one service animal at one time.

934    A.5       **Surfaces.**

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

947    A.6       **Fencing.**

948        Fencing or another suitable barrier, with an accessible gate/entrance, adequate to  
949        contain service animals must be provided.

950 A.7 **Plumbing.**

951 The SARA must include a sink with a faucet for hand washing. Water must be potable,  
952 as it will often also serve as a drinking water supply to fill bowls supplied by service  
953 animal handlers. A separate water supply must be included for use in cleaning the  
954 surface. The surface must be constructed with adequate drainage to facilitate regular  
955 cleaning.

956 A.8 **Location.**

957 Outdoor locations are preferred, as all service animals are trained to use outdoor relief  
958 areas. While some service animals are trained not to relieve indoors, at some terminals  
959 it may not be feasible to establish an outdoor relief area within the sterile area. In such  
960 cases, the relief area will have to be constructed indoors. SARA must not be co-located  
961 with a designated smoking area.

962 A.9 **Weather protection.**

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

966 A.10 **Scent.**

967 The sense of smell is much more acute in animals than in humans. This can be a help or  
968 a hindrance in encouraging service animals to use a relief area. Pheromone-scented  
969 surfaces or devices can be beneficial, while disinfecting chemicals with strong odors  
970 can be detrimental.

971 A.11 **Accessories.**

972 The SARA, at a minimum, must include:

- 973 1. A three-dimensional device (e.g. rock or fake fire hydrant) to encourage urination  
974 by male dogs.
- 975 2. Animal waste bags.
- 976 3. A waste receptacle.

977 **Note:** The disposal bags and receptacle must be located just inside the entrance to the  
978 SARA on an accessible route and at a height reachable by wheelchair users.

979 A.12 **Wayfinding and Signage**

980 A.12.1 Signage Standardization is desirable.

981 The sign shown in [Figure A-1](#), with or without accompanying text, may be used with  
982 directional arrows to guide users to the SARA. The signage, when used, must be

983 included in airport layout maps and in wayfinding instructions provided throughout the  
984 airport. In addition, signing at the SARA should indicate the following:

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

990 A.12.2 Other guidance.

991 Signage should be supplemented with means, including auditory announcements, to  
992 guide people with vision impairments. Braille signing must be installed adjacent to the  
993 side of doors and gates opposite the hinges. Airports are encouraged to adopt state-of-  
994 the-art technology (e.g., smart phone applications) as it becomes available.

995

**Figure A-1. SARA Signage**



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**Advisory Circular Feedback**

999 If you find an error in this AC, have recommendations for improving it, or have suggestions for  
1000 new items/subjects to be added, you may let us know by (1) mailing this form to Manager,  
1001 Airport Engineering Division, Federal Aviation Administration ATTN: AAS-100, 800  
1002 Independence Avenue SW, Washington DC 20591 or (2) faxing it to the attention of the Office  
1003 of Airport Safety and Standards at (202) 267-5383.

1004 Subject: AC 150/5360-14A Date: \_\_\_\_\_

1005 *Please check all appropriate line items:*

1006  An error (procedural or typographical) has been noted in paragraph \_\_\_\_\_ on page  
1007 \_\_\_\_\_.

1008  Recommend paragraph \_\_\_\_\_ on page \_\_\_\_\_ be changed as follows:  
1009 \_\_\_\_\_  
1010 \_\_\_\_\_  
1011 \_\_\_\_\_

1012  In a future change to this AC, please cover the following subject:  
1013 *(Briefly describe what you want added.)*  
1014 \_\_\_\_\_  
1015 \_\_\_\_\_  
1016 \_\_\_\_\_

1017  Other comments:  
1018 \_\_\_\_\_  
1019 \_\_\_\_\_  
1020 \_\_\_\_\_

1021  I would like to discuss the above. Please contact me at (phone number, email address).

1022 Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_  
1023