

ACCESS EQUALS OPPORTUNITY: CAR SALES & SERVICE

General Applicability

Q. Are automobile dealers, rental establishments and service stations required to have TTYs (TeleTYpewriters)?

A. No. For making calls to or receiving calls from customers with hearing or speech impairments who use TTYs, automotive establishments will be able to rely on the relay systems that telephone companies must establish by July 26, 1993. Operators employed by relay systems will relay communications between TTY-users and people using conventional telephones. Only those businesses that allow their customers or clients to make outgoing calls on more than an incidental convenience basis must provide TTYs.

Automotive establishments can ensure effective communication by training staff who answer the telephone to anticipate incoming calls through the relay services. Handling these calls may take longer because an operator at the relay system will be receiving typed communications from the caller and will also be using the relay system equipment to type communications from the staff person to the caller. Training should be undertaken as soon as possible because at least 40 states already offer some type of relay service.

For your information, however, a TTY is relatively inexpensive, usually costing about \$275 and would be welcome service for customers with hearing or speech impairments. If you have a TTY, be sure to list your telephone number followed by "Voice/TTY" in any publications or advertisements to signify that customers can communicate with them by voice or TTY.

Q. Are automotive establishments that offer parking required to provide accessible parking spaces for people with mobility impairments? If such parking is required how many spaces must be provided?

A. Yes. If an automotive establishment owns and operates the parking lot, it must provide accessible parking if it is readily achievable to do so. If an automotive establishment is a tenant, responsibility for providing accessible parking rests with both the landlord and the tenant. These responsibilities may be allocated between the landlord and tenant in the lease or other contract. The spaces must comply with the dimensions specified in the ADAAG if it is readily achievable to meet those standards. The ADAAG also specifies a formula for determining the appropriate number of accessible spaces which must be followed if it is readily achievable to do so. If it is not readily achievable to comply with the ADAAG standards for the number and dimensions of accessible spaces, an automotive establishment must provide as many spaces as readily achievable and of readily achievable dimensions.

If it is not readily achievable to provide any accessible spaces, an automotive establishment could consider providing valet parking as an alternative method of providing access.

Q. Are automotive establishments required to remove barriers posed by sidewalk curbs?

A. Curb cuts (also known as curb ramps) enable people who use wheelchairs or other mobility devices to have ready access to businesses. If the only parking available is on a city street and the automotive establishment does not own or control the sidewalk, the municipality, not the business, is responsible for providing curb ramps. If the automotive establishment owns or controls the sidewalk, it must provide curb ramps if readily achievable. If an automotive establishment is a tenant, responsibility for providing curb ramps rests with both the landlord and the tenant. These responsibilities may be allocated between the landlord and tenant in the lease or other contract.

The ADAAG establishes standards for construction of curb ramps that must be followed if readily achievable.

Q. Must all entrances to automotive dealers, rental, and service establishments be accessible?

A. No, but one entrance, preferably the main entrance, must be accessible, making it possible for people with disabilities to "get through the door."

For most businesses, ramping one step or even several steps will be readily achievable.

Installation of a permanent ramp, rather than a portable one, is required unless such installation is not readily achievable. If a public accommodation cannot meet the ADAAG's technical requirements for ramps because of space or other limitations, it can deviate slightly from these specifications as long as the ramp is still safe.

If a permanent ramp cannot be installed, a portable ramp must be used if readily achievable. Portable, i.e., moveable, ramps also must be safe. Most portable ramps are relatively inexpensive to purchase or construct.

It would be helpful for an automotive establishment using a portable ramp to install a doorbell or intercom (with an appropriate sign) to summon an employee to bring the ramp to the door if readily achievable.

If the accessible entrance is one other than the main entrance, a sign at the main entrance should indicate where the accessible entrance is located.

If none of these barrier removal options is readily achievable, alternative methods to provide service must be considered, such as meeting a customer in an accessible location or providing curbside service at no additional charge.

Q. How does an automotive establishment know if the doorway for the accessible entrance is wide enough for customers who use wheelchairs or other mobility devices?

A. The ADAAG standard states that a minimum of 32 inches of clear opening measured between the face of the door and the opposite stop when the door is opened 90 degrees is required to provide access for customers who use wheelchairs or other mobility devices. Offset hinges can increase the amount of clear space by several inches.

Automatic or push button doors are the best for providing access. Whether installing them is readily achievable or not depends on the circumstances of the individual automotive establishment.

Another measure that makes doors easier to use, not only for customers who use mobility devices but also for those who have conditions that limit their manual dexterity, is to install lever or U-shaped handles. Some retrofit levers cost less than \$10 and can improve access significantly.

Adjusting door closers or springs and oiling hinges are also inexpensive steps that make it easier to open doors and prevent them from closing too quickly. Widening doors, installing accessible door handles, and making door adjustments are examples of modifications that will be readily achievable for most businesses.

Q. Must automotive establishments allow service animals, including guide dogs, to accompany customers with disabilities into their places of business?

A. Yes.

Q. Can an automotive establishment deny service to a person with a disability because his or her disability or behavior resulting from the disability may be disturbing to other customers?

A. No. The ADA specifically prohibits this type of discrimination against people with disabilities.

Q. Do all parts of automotive establishments, including service facilities, need to be accessible?

A. No. Automotive establishments must take all readily achievable measures to remove barriers in all areas that customers normally use, including customer waiting areas, cash register areas, public telephones, and any vending or food service areas that are provided for customers' use and comfort. For most businesses, clearing the path of travel, rearranging the furniture and display shelves, and relocating stock that blocks aisles are readily achievable methods to provide access.

Q. Must automotive establishments provide accessible rest rooms? How can rest rooms be made accessible?

A. When rest rooms are open to the public, at least one accessible rest room must be available when readily achievable. Certain relatively simple steps can increase access and usability. Widening entry and stall doors; moving obstacles such as vending machines; rearranging toilet partitions to increase maneuverability for customers using wheelchairs; installing a raised toilet seat; installing grab bars near the toilet; repositioning paper towel dispensers; installing lever handles on at least one sink; and installing insulation material around exposed lavatory pipes to prevent wheelchair users from burning their legs while sitting at the sink are examples of readily achievable measures for most businesses.

If an automotive establishment provides more than one rest room and not all are accessible, a sign should indicate where the accessible rest room(s) is (are) located.

Simple symbols indicating which facilities are for men or women are easier for some people with cognitive impairments (such as mental retardation) to understand than words or other images. Raised letters and Braille differentiating men's and women's rest rooms are important for people who are blind, and large, high-contrast signs help people with limited vision. Automotive establishments must take all of these measures if readily achievable.

Q. Must automotive establishments have accessible drinking fountains?

A. If businesses have drinking fountains, they must make them accessible if it is readily achievable to do so. To make fountains accessible, mount them low enough to be easily reached from a sitting position or install a paper cup dispenser within easy reach.

Automotive Sales Establishments

Q. Are automotive sales establishments required to provide vehicle hand controls so a customer can test drive a car?

A. For many dealers, installation of hand controls will be readily achievable. Dealers may request reasonable advance notice from customers who need hand controls to ensure that a properly equipped vehicle will be available.

Q. What other alternative methods can automotive sales establishments use to deliver services if it is not readily achievable to remove barriers to "getting through the door"?

A. Automotive sales personnel must provide brochures and other information about available vehicles to customers at curbside, at other convenient locations, or by mail.

Alternative accessible locations must be selected to conduct and finalize sales negotiations, or they can be conducted by telephone or at the customer's home.

Q. How does an automotive sales establishment ensure effective communication with customers who are deaf or hard of hearing or who have speech impairments?

A. According to DOJ, if a deaf individual becomes serious about making a purchase, the services of a qualified interpreter may be necessary because of the complicated nature of the communications involved in buying a car, unless providing one would pose an undue burden.

To locate a qualified sign language interpreter, contact local organizations operated by or for people with disabilities for a referral.

Interpreters are not required if a deaf customer has come into a sales showroom merely to look at the latest models. In this situation, the dealer would be able to communicate general information about models available by providing brochures, exchanging notes by pen and note pad, or taking turns at a computer keyboard. Maintaining face-to-face contact is important for communications with customers who read lips.

It is also important for automotive sales establishments to communicate effectively with customers with speech impairments. Allowing sufficient time for a person with such a disability to express himself or herself or to read a message spelled out on a word board are examples of methods to achieve effective communication.

Automotive Service Establishments

Q. What other alternative methods can automotive sales establishments use to deliver services if it is not readily achievable to remove barriers to "getting through the door"?

A. Automotive service establishments can meet customers at curbside to make arrangements for repairs or service, or they could provide home pick-up and delivery at no extra charge if readily achievable.

Q. How can an automotive service establishment communicate with a customer who is deaf or hard of hearing or who has a speech impairment?

A. Most customers who are deaf or hard of hearing will identify themselves by writing a note or using hand gestures. When an auto service person has determined that customer is deaf or hard of hearing, he or she can communicate by writing notes. Maintaining face-to-face contact is important for communications with a customer who reads lips.

The services of a sign language interpreter are not necessary to accomplish transactions

that are short and straightforward.

It is also important for auto service establishments to communicate effectively with customers with speech impairments. Allowing sufficient time for a person with such a disability to express himself or herself or read a message spelled out a word board are examples of methods to achieve effective communication.

Automotive Rental Establishments

Q. Is an auto rental establishment required to accept the credit card of a person with a disability who is not the driver and who has arranged for someone else to operate the rental vehicle?

A. Yes. This would be a reasonable modification of normal business practice necessary to avoid discrimination against a person with a disability who wants to rent a car. The driver, however, must meet the other eligibility requirements to rent the vehicle, such as having a current driver's license.

Q. If the rented vehicle is located in a lot apart from the location where the vehicle is rented, does the rental establishment have to provide wheelchair accessible transportation to the lot for customers with mobility impairments, including individuals who use wheelchairs?

A. If the rental establishment provides shuttle transportation to the lot for its customers, the ADA requires that comparable services be provided to customers with disabilities. This can be achieved by using portable ramps to enable a customer with a mobility impairment to board the shuttle, or the agency can deliver the rental vehicle to the customer at curbside.

Q. Are automotive rental establishments required to provide vehicle hand controls so a customer can rent a car?

A. For many rental establishments, installation of hand controls will be readily achievable. Reasonable advance notice may also be required from customers who need hand controls to ensure that a properly equipped vehicle will be available.

Q. Is an auto rental establishment required to provide a special operator's dashboard identification card so customers with disabilities may use parking spaces reserved for them?

A. As a courtesy to customers, it is suggested that auto rental establishments provide dashboard identification cards so customers can park in spaces reserved for people with disabilities. Rental establishments should accept parking permits or personal dashboard

cards from customers as proof of eligibility for their card. It should be noted that some local authorities do not recognize or honor the rental establishment's dashboard card.

Q. How can an automotive rental establishment communicate with a customer who is deaf or hard of hearing or who has a speech impairment?

A. Most customers who are deaf or hard of hearing will identify themselves by writing a note or using hand gestures. When a rental clerk has determined that customer is deaf or hard of hearing, he or she can communicate by writing notes. Maintaining face-to-face contact is important for communications with a customer who reads lips.

The services of a sign language interpreter are not necessary to accomplish rental transactions that are short and straightforward with a deaf individual.

It is also important for auto rental establishments to communicate effectively with customers with speech impairments. Allowing sufficient time for a person with such a disability to express himself or herself or read a message spelled out a word board are examples of methods to achieve effective communication.

Service Stations

Q. Are service station attendants on duty at self-service only stations required to pump gas for customers with mobility or manual impairments who are unable to pump gas themselves?

A. Yes. This simple service will almost always be readily achievable unless there is only one attendant on duty and that attendant is required to stay in a security booth to prevent public access to the cash register.

Q. Are attendants at service stations that offer both full service and self-service pumps required to pump gas at self-service pumps for customers with mobility or manual impairments who are unable to pump gas themselves?

A. Yes. This is the only practical alternative to barrier removal at a gas station. Attendants are not required to provide the full array of services available at full service pumps, such as cleaning windows and checking oil. However, attendants must pump gas for people who cannot do so themselves, and they must charge the self-service prices because businesses may not assess surcharges on individuals with disabilities for alternative services under the ADA.

Q. How can a service station communicate with a customer who is deaf or hard of hearing or who has a speech impairment?

A. Most customers who are deaf or hard of hearing will identify themselves by writing a

note or using hand gestures. When a service station attendant has determined that customer is deaf or hard of hearing, he or she can communicate by writing notes. Maintaining face-to-face contact is important for communications with a customer who reads lips.

The services of a sign language interpreter are not necessary to accomplish transactions that are short and straightforward with a deaf person.

It is also important for service stations to communicate effectively with customers with speech impairments. Allowing sufficient time for a person with such a disability to express himself or herself or read a message spelled out a word board are examples of methods to achieve effective communication.

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