

ADA and Ticketing

Mid-Atlantic ADA Center

April 12, 2012

Where to find the 2010 Revised ADA Regulations

State and Local Governments

- Title II - General Requirements, 28 CFR 35.138
- www.ada.gov/regs2010/titleII_2010/titleII_2010_withbold.htm

Places of Public Accommodation

- Title III - Reasonable Modifications, 28 CFR 36.302(f)
- www.ada.gov/regs2010/titleIII_2010/titleIII_2010_withbold.htm

March 15, 2011 - Effective (enforceable)

ADA Standards for Design

- http://www.ada.gov/2010ADASTandards_index.htm

March 15, 2012 -standards are effective (enforceable)

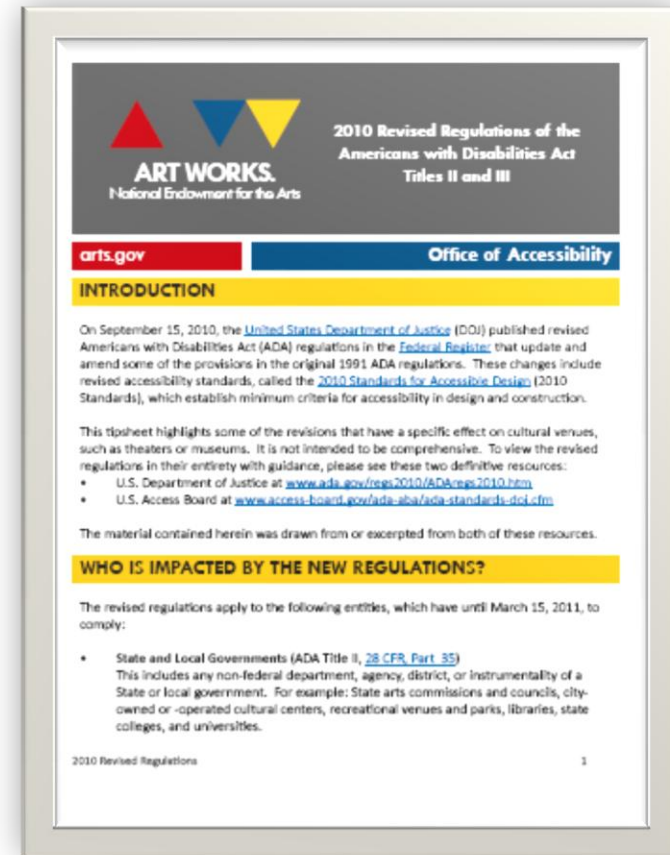
6 Significant Changes Cultural Administrators Should Know

Policies, Procedures, and Practices

1. Service animals
2. Mobility devices
3. Ticketing

Physical Access and Barrier Removal

4. 2010 Standards for Accessible Design
5. Safe Harbor
6. Reduction of Elements



NEA Tip Sheet:

www.nea.gov/resources/Accessibility/pubs/NEA-TipSheet.pdf

8 Sections of Ticketing Regulations

1. **Ticket Sales**
2. **Identification of seating**
3. **Ticket prices**
4. **Purchasing multiple tickets**
5. **Hold and release of tickets**
6. **Ticket transfer**
7. **Secondary ticket market**
8. **Prevention of fraud**



Title II: §35.138 ticketing regulations

Title III: §36.302 (f) ticketing regulations

Highlights Section 1: Ticket Sales

- **Accessible seating defined**
- **Same hours, stages, outlets, methods, terms**

**Wheelchair
location and
companion seats**

**On line Ticketing
- Through a
Website**

**Must provide
accessible
seating to the
third party
ticket vendors**

Highlights Section 2: Identification of accessible seating

- **Availability & Location**

- Provide info about available of accessible seating, upon request

- **Features**

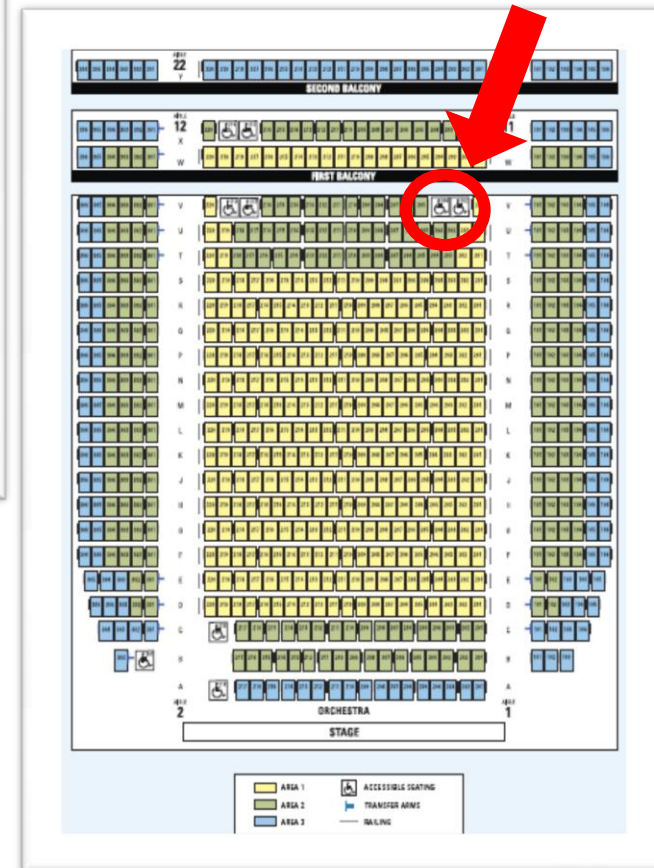
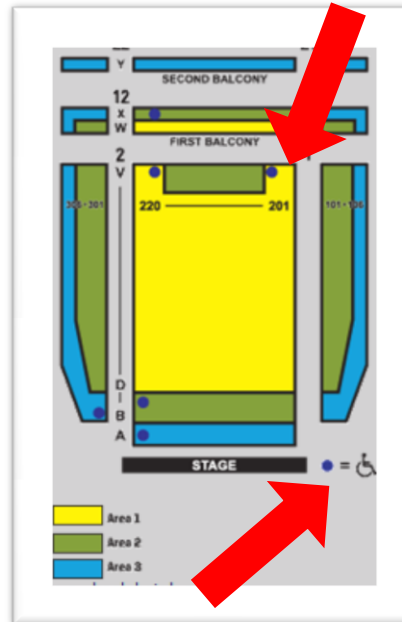
- Describe features of available accessible seating in enough detail for the patron to make their own choice, upon request

- **Same level of specificity**

- See example to right

- **Brochures, maps, etc.**

- Provide material that identifies accessible seating if provided to others



Highlights Section 3 : Ticket Prices

Available at all price levels

- If seats are not physically located in all price levels use proportional pricing
- Accessible seats may not be priced higher than the seats around them

8 wheelchair locs all in the orchestra (100%)

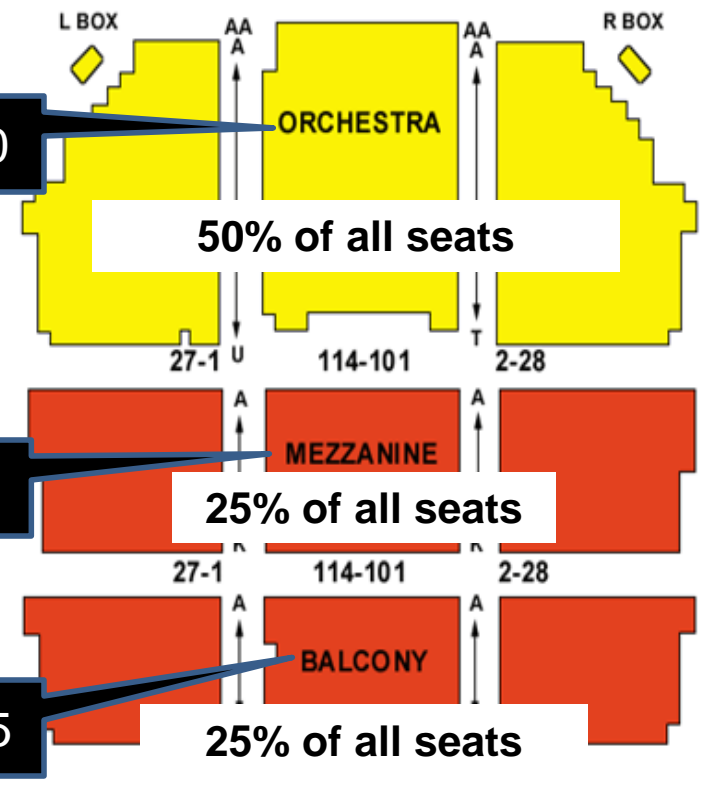
Priced proportionally =

- 4 which locs at \$100
- 2 which locs at \$50
- 2 which locs at \$25

BUT .. IF all 8 are in the BALCONY?

...all wheelchair locs are \$25

\$100



\$50

\$25

Nothing prohibits discounting – wheelchair locs may cost less than those around them.

Highlights Section 4 : Purchase multiple tickets

Same number of tickets

As anyone else is limited to
or allowed to purchase

**May hold
3 companion seats
but
not required
to do so**

Up to 3 companion seats

- **Contiguous**
- and in the
- **Same row**
- If not, then as close as possible

**If available at the
time of sale**


**Not required to be the
same price if not
contiguous and in the
same row**

Highlights Section 5 : Hold and Release

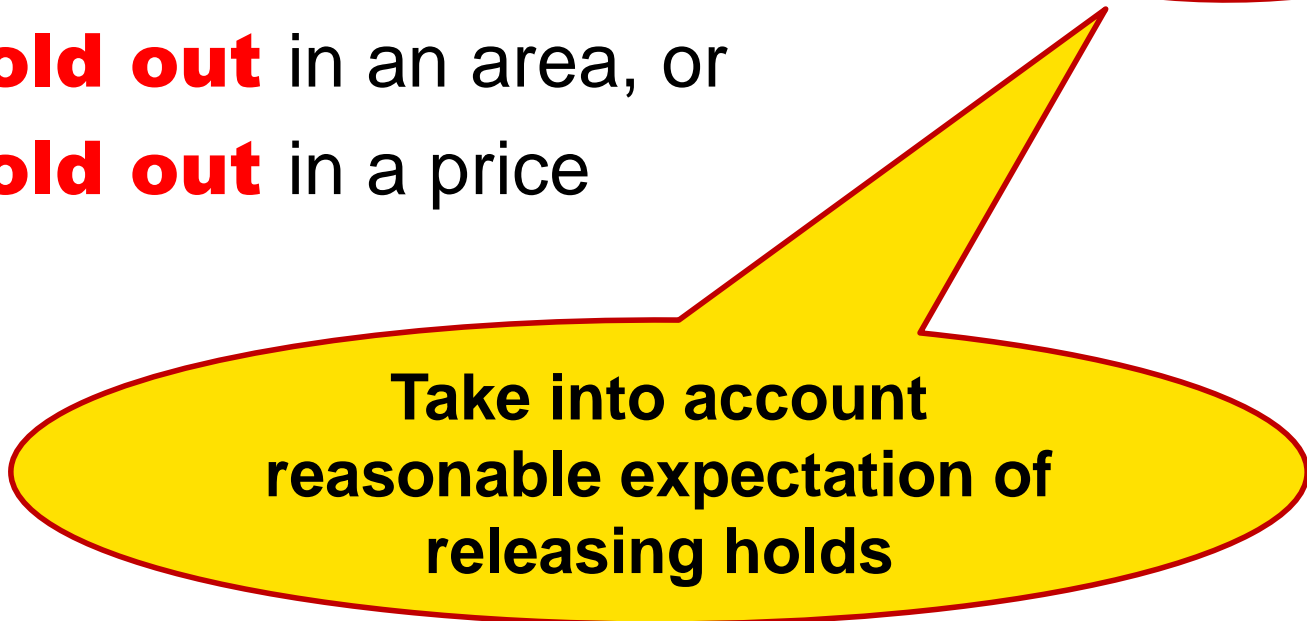
Only three conditions under which accessible seats may be released:

All non-accessible seats are:

- 1) **sold out** in the venue,
- 2) **sold out** in an area, or
- 3) **sold out** in a price



Venue
defines
“sold-out”



Take into account
reasonable expectation of
releasing holds

What about Subscription or Series-of-events tickets

If accessible seating tickets are sold to a person without a disability the venue must –

- **set up process that prevents automatic reassignment of accessible seating to person without disability**
- provide an opportunity for a person with disability to purchase the tickets in future (when person becomes eligible)

Ownership rights? When tickets in accessible seating are forfeited or returned provide an opportunity for a person with disability to purchase the tickets

Highlights Section 6 : Transfer tickets

Person with a disability **may**:

- **Transfer** (*give or sell*) tickets for accessible seating to a third party under the same terms/conditions as any other patron is allowed to do so



Highlights Section 7: Secondary Market

Any transfer of tickets
after initial sale

Venue must :

- Honor tickets acquired on the secondary market
- **Exchange to comparable accessible location**

**IMPORTANT: If
available when
presented**



Highlights Section 8: Prevention of Fraud

May not ask for proof of disability

May ask for a:

- verbal attestation at time of purchase by phone or in person
- “click” attestation when purchasing online
- written attestation when purchasing a subscription or series of tickets.



“Do you, or a member of your party, have a mobility disability or disability requiring the use of the features of the accessible location.”

Highlights Section 8: Prevention of Fraud

May investigate where there is good cause to believe purchase is fraudulent



Resources

U.S. Department of Justice (DOJ)

www.ada.gov

- Revised Regulations: www.ada.gov/regs2010/ADAregs2010.htm
- 2010 ADA Standards: www.ada.gov/2010ADAstandards_index.htm
- Service Animals: www.ada.gov/service_animals_2010.htm
- Ticketing: www.ada.gov/ticketing_2010.htm
- Tech. Assistance: (800) 514-0301 (voice) or (800) 514-0383 (TTY)

U.S. Access Board

www.access-board.gov

- 2010 Standards, Guidelines and Other ADA Standards: www.access-board.gov/ada/index.htm
- Guide to which standard to follow: www.access-board.gov/ada/using-standards.htm
- Tech. Assistance: (800) 872-2253 (voice), (800) 993-2822 (TTY)

ADA National Network

www.adata.org

- Tech. Assistance: (800) 949-4232 (Voice/TTY)

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