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### **ADA Update: 2010 Standards for Accessible Design**

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If you modify an existing structure or building, change the design of your pool or add a new one, the *2010 Standards for Accessible Design* applies to you. **These new design regulations *do not* apply to existing buildings, structures or pools that are compliant with the former standards.** The following is an excerpt from the ADA website fact sheet found at [http://www.ada.gov/regs2010/factsheets/title3\\_factsheet.html](http://www.ada.gov/regs2010/factsheets/title3_factsheet.html)

Effective Date. The rule will become effective March 15, 2011. On March 15, 2012, compliance with the 2010 Standards will be required for new construction and alterations and barrier removal. In the period between September 15, 2010 and March 15, 2012, covered entities may choose between the 1991 Standards and the 2010 Standards. Covered entities that should have complied with the 1991 Standards during any new construction or alteration of facilities or elements, but have not done so by March 15, 2012, must comply with the 2010 Standards.

Element by Element Safe Harbor. The rule includes a general "safe harbor" under which elements in covered facilities that were built or altered in compliance with the 1991 Standards would not be required to be brought into compliance with the 2010 Standards until the elements were subject to a planned alteration. A similar safe harbor applies to elements associated with the "path of travel" to an altered area.

The Americans with Disabilities Act (ADA) requires the Department of Justice to publish ADA design standards that are consistent with the guidelines published by the U.S. Architectural and Transportation Barriers Compliance Board. To minimize compliance burdens on the businesses subject to more than one legal standard, these design standards have been harmonized with the Federal standards implementing the Architectural Barriers Act. These new standards address amusement rides, recreational boating facilities, fishing piers and platforms, exercise machines and equipment, golfing facilities, miniature golf, play areas, swimming pools, wading pools, spas, saunas, and steam rooms.

For more information: The final rule and fact sheet are available in electronic format on the Internet at: <http://www.ada.gov/>.

For additional information or to order copies of any documents, call the ADA Information Line (800) 514-0301.