

HANDICAPPED ACCESS

*This chapter is separated into two sections. Section A identifies the law, regulation and policies for architectural accessibility issues in the renovation or construction of facilities. Section B identifies the law, regulation and policy for programmatic accessibility issues in Federally assisted and Federally conducted activities directed by Executive agencies.

A. ARCHITECTURAL ACCESSIBILITY

1. Law

P.L. 90-480, The Architectural Barriers Act of 1968, 42 U.S.C. 4151-4157

Any building, built, or renovated in whole or in part with Federal funds or on behalf of the Federal Government, shall be accessible to and usable by physically handicapped persons.

2. Regulation

41 CFR 101 - 19.6 - Accommodations for the Physically Handicapped

**Subpart 101-19.6—Accommodations
for the Physically Handicapped**

§ 101-19.600 Scope of subpart.

This subpart prescribes standards for the design, construction, lease, and alteration of buildings to ensure, whenever possible, that physically handicapped persons will have ready access to and use of such buildings. Recordkeeping and reporting requirements (see §§ 101-19.606 and 101-19.607) are prescribed for all projects subject to this subpart.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))
[43 FR 16479, Apr. 19, 1978]

§ 101-19.601 Authority and applicability.

This subpart implements Pub. L. 90-480, approved August 12, 1968, as amended (42 U.S.C. 4151, et seq.). The standards prescribed herein shall apply to all Federal agencies and instrumentalities and to non-Federal organizations to the extent provided in the Act.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))
[43 FR 16479, Apr. 19, 1978]

§ 101-19.602 Definitions.

The following definitions shall apply to this Subpart 101-19.6:

(a) "Building" means any building or facility (other than a privately owned residential structure not leased by the Government for subsidized housing programs and any building or facility on a military installation designed and constructed primarily for use by able-bodied military personnel) the intended use for which will require either that the building or facility be accessible to the public or may result in the employment therein of physically handicapped persons, which is to be:

(1) Constructed or altered by, or on behalf of, the United States after September 2, 1969;

(2) Leased in whole or in part by the United States between August 12, 1968, and December 31, 1976, if constructed or altered in accordance with plans and specifications of the United States;

(3) Financed in whole or in part by a grant or a loan made by the United States after August 12, 1968, if the building or facility is subject to standards for design, construction, or alteration issued under authority of the law authorizing such a grant or loan:

(4) Constructed under authority of the National Capital Transportation Act of 1960, the National Capital Transportation Act of 1965, or title III of the Washington Metropolitan Area Transit Regulation Compact; or

(5) Leased in whole or in part by the United States after January 1, 1977, including any renewal, succeeding, or superseding lease.

(b) "Alteration" means repairing, improving, remodeling, extending, or otherwise changing a building.

(c) The terms "bid" and "bidder" shall be construed to include "offer" and "offeror".

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))
[39 FR 23214, June 27, 1974, as amended at 43 FR 16479, Apr. 19, 1978]

§ 101-19.603 Standards.¹

Except as provided in § 101-19.604, every building shall be designed, constructed, or altered in accordance with the minimum standards in the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," published by the American National Standards Institute, Inc. (ANSI A117.1-1961 (1971)). Departures from particular requirements of these standards by the use of other methods will be permitted when it is clearly evident that equivalent accessibility and usability of the facility is thereby provided.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))
[43 FR 16479, Apr. 19, 1978]

§ 101-19.604 Exceptions.¹

The standards established in § 101-19.603 shall not apply to:

(a) The design, construction, alteration, or lease of any portion of a building which need not, because of its intended use, be made accessible to, or usable by, the public or by physically handicapped persons;

(b) The alteration of an existing building if the alteration does not involve the installation of, or work on, existing stairs, doors, elevators, toilets, entrances, drinking fountains, floors, telephone locations, curbs, parking areas, or any other facilities susceptible of installation or improvements to accommodate the physically handicapped;

(c) The alteration of an existing building, or of portions thereof, to which application of the standards is not structurally possible;

(d) The construction or alteration of a building for which plans and specifications were completed or substantially completed on or before September 2, 1969: *Provided, however*, that any building defined in § 101-19.602(a)(4) shall be designed, constructed, or altered in accordance with the standards prescribed in § 101-19.603 regardless of design status or bid solicitation as of September 2, 1969; and

(e) The leasing of space when after receipt of bids or offers it is determined that no otherwise legally acceptable proposal substantially meets the requirements of each of the following sections of the ANSI standards with respect to the space to be leased:

(1) Section 1, Scope and Purpose;

(2) Section 2, Definitions;

(3) Section 3, General Principles and Considerations;

(4) Section 4, Site Development; and

(5) Section 5, Buildings, subsections (in entirety unless noted) 5.1, 5.2, 5.3, 5.4.2, 5.4.3, 5.5, 5.6, 5.7, and 5.9. If more than one offeror or bidder meets the requirements of the sections listed in paragraph (e) of this section, then preference shall be given to the offeror or bidder who most nearly complies with the standard prescribed in § 101-19.603. If the award is proposed to a firm other than the one offering space that most nearly complies with the full ANSI standards and whose bid or offer is reasonable as to price and otherwise legally acceptable, a waiver or modification of those standards which could have been met, but which are not being furnished, must be obtained.

(Sec. 205 (c), 63 Stat. 1390, 40 U.S.C. 486(c))
[39 FR 23214, June 27, 1974, as amended at 43 FR 16479, Apr. 19, 1978]

§ 101-19.605 Waiver or modification of standards.

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

§ 101-19.606 Recordkeeping.

The administering agency's file on each contract or grant for the design, construction, lease, or alteration of a building as defined in § 101-19.602 shall be documented with a statement either:

(a) That the standards are applicable to and have been or will be incorporated in the design, the construction, or the alteration; (b) that the grant has been or will be made subject to a requirement that the standards will be incorporated in the design, the construction, or the alteration; (c) that the standards have been waived by the Administrator of General Services (in which event the justification for the waiver shall be stated); (d) that the project is within one of the exceptions set out in § 101-19.604 (the specific exception shall be identified and justified); or (e) such other statements as may be appropriate with respect to application of the standards to the contract or grant. The head of each agency shall be responsible for implementing the file documentation requirement by regulation or other appropriate means. The documentation shall be made available to the Administrator of General Services upon request.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))
[43 FR 16480, Apr. 19, 1978]

§ 101-19.607 Reporting.

(a) Annually each administering agency shall prepare and submit to the Administrator of General Services reports covering all projects subject to the requirements of this Subpart 101-19.6 for which funds have been appropriated or for which a contract, grant, or loan has been approved (whichever

is applicable) and which are still under design or construction, or buildings for which lease contracts have been awarded. Once a project has been reported as being occupied, it need not be included in subsequent reports. Lease projects need to be reported only during the period in which the award was made. All reports should be prepared on GSA Form 2974, Status Report for Federally Funded or Leased Buildings—Accommodation of Physically Handicapped. Interagency reports control number 0031-GSA-AN has been assigned to this report.

(b) The annual reporting period, for purposes of this requirement, ends on the last day of August. Reports will be due on the fifteenth calendar day of the following month. The initial report will cover facilities subject to this reporting requirement during the period from September 1, 1981, through August 31, 1982.

(c) Reports will be used for surveys and investigations to ensure compliance with The Architectural Barriers Act, as amended, pursuant to the requirements of the act.

(Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)))
[44 FR 39393, July 6, 1979, as amended at 48 FR 15629, Apr. 12, 1983]

3. Background

The Architectural Barriers Act of 1968 [The Barriers Act], 42 U.S.C., 4151-4157 was the first Federal legislation requiring certain Federal and Federally-funded building construction (either new or renovated) to be readily accessible to the disabled. This legislation designated the General Services Administration (GSA), Department of Defense (DOD), Department of Housing and Urban Development (HUD), and U.S. Postal Service as standard setting agencies, requiring each of them to establish and enforce standards for design, construction and alteration of particular types of buildings and facilities. Each of

the four agencies issues standards in accordance with its' statutory authority (in the case of GSA, the CFR is 41 CFR 101-19.6). The GSA prescribes standards for all buildings not covered by standards issued by the other three standard-setting agencies. The regulations covering National Park Service and concessioner facilities occur in the GSA standards.

To ensure compliance with the standards, Congress established the Architectural and Transportation Barriers Compliance Board (ATBCB) in section 502 of the Rehabilitation Act of 1973 [The Rehabilitation Act], 29 U.S.C. 792. The ATBCB comprises members representing eleven Federal agencies (the four standard-setting agencies and others including the Department of Interior), as well as eleven members appointed by the President from the general public. A 1978 Amendment to Section 502 of the Rehabilitation Act added to the ATBCB's functions, the responsibility to issue minimum guidelines and requirements for the standards established by the four standard-setting agencies. The final rules establishing the guidelines now in effect was published in the Federal Register on August 4, 1982 (47 FR 33862) and is codified at 36 CFR Part 1190. These guidelines were minimum guidelines for the four standard-setting agencies to assist them in development of their standards and were never intended to be the final standards used to comply with the regulations.

The four standard-setting agencies initiated their effort in 1981 to develop a uniform set of standards for use by all agencies. The Office of Management and Budget requested the head of each of the four standard-setting agencies, the ATBCB, and the other Federal agency members of the ATBCB to designate representatives to participate in a Task Force. The Task Force determined that proposed Uniform Standards would, wherever possible, be consistent with the standards published by the American National Standards Institute (ANSI) for general use while complying with the guidelines adapted by the ATBCB. ANSI is a private, national organization that publishes recommended standards on a wide variety of subjects. ANSI's standards for barrier-free design are developed by a committee made up of 52 organizations representing associations of handicapped people, rehabilitation professionals, design professionals, builders and manufacturers. The original ANSI standards, adapted in 1961, formed the technical basis for the first accessibility standards adapted by the Federal Government and most state governments.

The task force developed a set of Uniform Federal Accessibility Standards. The four standard-setting agencies then adapted these standards; the resulting Uniform Federal Accessibility Standards appeared in the "Federal Register" (FR 31528, Tuesday, August 7, 1984). This document presents uniform standards for the design, construction and alteration of buildings so that physically handicapped persons will have ready access to and use of them in accordance with the Architectural Barriers Act. These standards reflect an agreed upon way to minimize the differences between standards adopted by the four standard-setting agencies and between those standards and the access standards recommended for nonFederally funded and constructed facilities. The Uniform

Federal Accessibility Standards meets or exceeds the requirements identified in the ATBCB's Minimum Guidelines and Requirements for Accessible Design, 36 CFR 1190.

Extensive guidelines, including diagrams, measurements and other technical provisions are found in the Uniform Federal Accessibility Standards. This document, which can be obtained from each Regional Concessions office, should be made available to the concessioner's architect. If there are questions or other technical information needed concerning the Uniform Federal Accessibility Standards, concessioner's architects should contact the Branch of Special Programs and Populations, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127.

4. Policies

a. MANAGEMENT POLICIES MANUAL, CHAPTER VIII

Accessibility for Disabled Persons in Concession Operations

Within the parks and in the promotional material distributed publicly, concessioners share the Service's responsibility to provide access insofar as it pertains to the facilities and services they provide, recognizing the constraint of existing contract and agreements. It is Service policy that, where contracts have some years to run, the National Park Service will strongly encourage concessioners or other contractors to voluntarily make gradual progress toward an agreed upon level of accessibility, and when new contracts are negotiated, those requirements and a schedule for achieving them will be included in the new agreement.

b. SPECIAL DIRECTIVE 83-3 - POLICIES ON ACCESSIBILITY RELATED TO SPECIFIC NATIONAL PARK SERVICE FUNCTIONS

POLICY STATEMENT

In the planning, construction, and renovation of buildings and facilities and in the provision of programs and services to the public and employees, it is the policy of the National Park Service to provide the highest level of accessibility possible and feasible for persons with visual, hearing, mobility, and mental impairments, consistent with the nature of the area and program and consistent with the obligation to conserve park resources and preserve the quality of the park experience for everyone.

This policy is based upon the commitment of the National Park Service to provide access in our programs and facilities to

the broad cross section of the visiting public. It is also developed to assure compliance with the intent of P.L. 90-480, the Architectural Barriers Act of 1968, and Title V of P.L. 93-112, the Rehabilitation Act of 1973, as amended in 1978.

BASIC PRINCIPLES

This policy has been established to recognize and adhere to the following basic principles:

- Disabled people are members of the visitor group at large, and the National Park Service will provide for their access to existing facilities and programs, to the highest degree feasible and possible. Special, separate or alternative facilities and programs will be provided only when access to existing facilities and programs cannot reasonably be accomplished. Special assistance shall be handled discreetly so as not to draw undue attention.

- The determination of what is feasible and possible will be made with careful consideration of existing obligations to preserve and protect the historic and natural resources that we manage.

APPLICATION OF POLICY TO SPECIFIC NATIONAL PARK SERVICE OPERATIONS

As indicated in the policy statement and as supported by the two legal mandates, accessibility for disabled persons will be provided in both facilities and programs. This means that every reasonable attempt will be made to enable disabled persons to get into our buildings and facilities, and once there to receive the same benefits, services, and information provided to all visitors. (See policies related to specific National Park Service Functions under Park Planning, Park Facilities, Use of the Park and Concessions Management.)

POLICY IMPLEMENTATION

This policy promotes the philosophy that, while maximum accessibility is the goal, partial accessibility is better than none and that improvements should be taken in an orderly and priority-conscious manner. Access problems in both programs and facilities should be identified by each park unit in collaboration with qualified persons and listed in priority order. That list should then be reviewed and updated

annually. Actions should be taken at the earliest practicable time to remedy the problems utilizing available funds or other sources whenever possible. Items requiring large expenditures of funds should be identified and considered in setting regional and national funding priorities.

1. Park Planning For Accessibility For Disabled Persons

It is the policy of the National Park Service to incorporate the issues of accessibility in all components of the service-wide planning process, including the General Management Plan, the Development Concept Plan, Comprehensive Design, and the Interpretive Prospectus. The General Management Plan will broadly support the general policy of providing access to all visitors. The Development Concept Plan, Comprehensive Design, and the Interpretive Prospectus will then identify the specific ways in which the facilities and programs will be made accessible to the various disabled populations.

It is the policy of the National Park Service to invite disabled people with appropriate expertise and/or knowledgeable representatives into all aspects of the planning process in an advisory capacity at an early stage, and to maintain their collaboration in the park's subsequent management, in order, among other things, to assure the appropriateness and usability of access modifications. In making recommendations for appointments to advisory boards and commissions, disabled persons or others familiar with accessibility issues will be considered. All public gatherings shall be held in wheelchair accessible places and auxiliary aids for hearing and visually impaired persons should be provided when anticipated or requested.

2. Accessibility For Disabled Persons In Park Facilities

In accordance with the mandates of the Architectural Barriers Act of 1968 and Section 504 of the Rehabilitation Act of 1973 as amended in 1978, it is the policy of the National Park Service to provide the highest level of accessibility in all visitor and management buildings and facilities as is possible and feasible, consistent with the nature of the area and facilities. The degree of accessibility provided will be proportionately related to the degree of man-made modifications made to the area or facility and to the significance of the facility.

The developed area of the park, including publicly used structures and areas, administrative areas, some visitor overnight accommodations, and some employee housing, when provided, and most interpretation and visitor services, will be designed, constructed or renovated to provide maximum accessibility to wheelchair people.

The undeveloped areas, such as the part of the park that is outside the immediate influence of buildings, roads, and cars, will not normally be modified nor will special facilities be provided for the sole purpose of providing access to disabled people.

Accessibility in threshold areas, such as scenic overlooks, nature trails, features of special interest, or wayside exhibits that are reached by short walks that lead from developed areas to the edges of the undeveloped ones, will be judged on the topography, the significance of the attraction and the amount of man-made modification provided. If the attraction is a significant one, every reasonable attempt should be made to make the feature as accessible as possible. On the other hand, if the amount of man-made modification is very low and the accessibility modifications would result in significant damage to the natural environment, alternative methods to provide the interpretive information or experience should be considered and utilized.

3. Accessibility In Visitor Transportation Services

The policy of the National Park Service is to make all appropriate land transportation systems and services, whether provided by the Service or by concessioners, accessible to and usable by physically disabled persons unless doing so would alter the fundamental nature of the service. This should be accomplished by making a sufficient percentage of the vehicles wheelchair accessible, on a replacement or retrofit basis, so as to provide effective services. Until this goal is realized, a separate accessible vehicle will be provided or a disabled person will be allowed to drive their personal vehicle on otherwise restricted roadways. It is Service policy that no new roads will be developed for the sole purpose of providing disabled visitors access to a given area. However, within the existing road system, efforts will be made to provide for specialized transportation needs.

Accessibility will also be provided in water transportation systems. The degree of priority in making them accessible

will depend on the degree of accessibility of the area served by the system. On scenic cruise vessels, the optimal level of wheelchair access that is feasible will be provided.

4. Cultural Resource Management And Preservation

For cultural properties, the National Park Service will provide the highest level of access possible while still conforming to cultural resources management policies and use and treatment standards (NPS-28). Every attempt will be made to create physical accessibility for disabled persons to as much of the property as possible without impairing the property's cultural significance. Where accessibility cannot be achieved within NPS-28, alternative solutions will be provided in an accessible location.

B. PROGRAMMATIC ACCESSIBILITY

1. Law

Rehabilitation Act of 1973, Title V, 29 U.S.C. 792

Sec. 504. No otherwise qualified handicapped individual in the United States; as defined in section 7(7), shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by any Executive agency or by the United States Postal Service.

2. Regulations

43 CFR 17 - Nondiscrimination on the Basis of Handicap - Subpart B

These regulations govern Federally assisted programs. Regulations governing Federally conducted programs (affecting concessioners) are in preparation at the Department of Interior. The Department has stated that, for the most part, non-discrimination obligations for Federally conducted programs will be identical to those established for programs receiving federal financial assistance. The following will therefore be considered to apply until publication of the new regulations.

§ 17.203 Discrimination prohibited:

(a) *General.* No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance.

(b) *Discriminatory actions prohibited.* (1) A recipient, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap:

(i) Deny a qualified handicapped person the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified handicapped person an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified handicapped person with an aid, benefit, or service that is not as effective as that provided to others;

(iv) Provide different or separate aids, benefits or services to handicapped persons or to any class of handicapped persons unless such action is necessary to provide qualified handicapped persons with aid, benefits, or services that are as effective as those provided to others;

(v) Aid or perpetuate discrimination against a qualified handicapped person by providing significant assistance to an agency, organization, or person that discriminates on the basis of handicap in providing any aid, benefit, or services to beneficiaries of the recipient's program;

(vi) Deny a qualified handicapped person the opportunity to participate as a member of planning or advisory boards; or

(vii) Otherwise limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

(2) Aids, benefits, and services, to be equally effective, are not required to produce the identical result of level of achievement for handicapped and non-handicapped persons, but must afford handicapped persons equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs.

(3) Despite the existence of separate or different programs or activities, a recipient may not deny a qualified handicapped person the opportunity to participate in all programs or activities covered by this subpart that are not separate or different.

(4) A recipient may not, directly or through contractual or other arrangements, utilize criteria or methods of administration (i) that have the effect of subjecting qualified handicapped persons to discrimination on the basis of handicap, (ii) that have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the recipient's program with respect to handicapped persons, or (iii) that perpetuate the discrimination of another recipient if both recipients are subject to common administrative control or are agencies of the same State.

(5) In determining the site or location of a facility, an applicant for assistance or a recipient may not make selections (i) that have the effect of excluding handicapped persons from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity that receives or benefits from Federal financial assistance or (ii) that have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the program or activity with respect to handicapped persons.

(6) As used in this section, the aid, benefit, or services provided under a program or activity receiving or benefiting from Federal financial assistance includes any aid, benefit, or service provided in or through a facility that has been constructed, expanded, altered, leased or rented, or otherwise acquired, in whole or in part, with Federal financial assistance for the period during which the facility is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

(7) Nothing in this section is to be construed as affecting the acquisition of historic sites or wilderness areas.

(c) *Programs limited by Federal law.* The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or Executive Order to handicapped persons or the exclusion of a specific class of handicapped persons from a program

limited by Federal statute or Executive Order to a different class of handicapped persons is not prohibited by this subpart.

(d) Recipients shall take appropriate steps to insure that communications with their applicants, employees, and beneficiaries are available to persons with impaired vision and hearing.

§ 17.217 Existing facilities.

(a) *Program accessibility.* A recipient shall operate each program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by handicapped persons. This paragraph does not require a recipient to make each of its existing facilities or every part of a facility accessible to and usable by handicapped persons.

(b) *Methods.* A recipient may comply with the requirements of paragraph (a) of this section through such means as redesigning of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, delivery of services at alternate accessible sites, alterations of existing facilities and construction of new facilities in conformance with the requirements of § 17.218, or any other methods that result in making its program or activity accessible to handicapped persons. A recipient is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with paragraph (a) of this section. In choosing among available methods for meeting the requirement of paragraph (a) of this section, a recipient shall give priority to those methods that offer programs and activities to handicapped persons in the most integrated setting appropriate.

(c) *Small recipients.* If a recipient with fewer than fifteen employees that provides services finds, after consultation with a handicapped person seeking its services, that there is no method of complying with paragraph (a) of this section other than making a significant alteration in its existing facilities, the recipient may, as an alternative, refer the handicapped person to other providers of those services whose facilities are accessible.

(d) *Time period.* A recipient shall comply with the requirement of paragraph (a) of this section within sixty

days of the effective date of this subpart except that where structural changes in facilities are necessary, such changes shall be made as expeditiously as possible, but in no event later than three years after the effective date of this subpart. New recipients receiving Federal financial assistance shall comply with the requirement of paragraph (a) of this section, except that where structural changes in facilities are necessary, such changes shall be made as expeditiously as possible, but in no event later than three years after the date of approval of the application.

(e) *Transition plan.* In the event that structural changes to facilities are necessary to meet the requirement of paragraph (a) of this section a recipient shall develop, within one year of the effective date of this subpart, a transition plan setting forth the steps necessary to complete such changes. New recipients, receiving financial assistance after the effective date of this regulation, shall develop a transition plan within one year of receipt of the financial assistance. The plan shall be developed with the assistance of interested persons, including handicapped persons or organizations representing handicapped persons. A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum:

(1) Identify physical obstacles in the recipient's facilities that limit the accessibility of its program or activity to handicapped persons;

(2) Describe in detail the methods that will be used to make the facilities accessible and usable;

(3) Specify the schedule for taking the steps necessary to achieve full program accessibility and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the person responsible for implementation of the plan.

(f) *Notice.* The recipient shall adopt and implement procedures to insure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by handicapped persons.

§ 17.270 Recreation programs.

This section applies to recreation programs that receive or benefit from Federal financial assistance and to recipients that operate, or that receive or benefit from Federal financial assistance for the operation of such programs or activities.

(a) *Accessibility in existing recreation facilities.* In the case of existing recreation facilities, accessibility of programs or activities shall mean accessibility of programs or activities when viewed in their entirety as provided at § 17.217. When it is not reasonable to alter natural and physical

features, the following other methods of achieving accessibility may include, but are not limited to:

(1) Reassigning programs to accessible locations.

(2) Delivering programs or activities at alternate accessible sites operated by or available for such use by the recipient.

(3) Assignments of aides to beneficiaries.

(4) Construction of new facilities in conformance with the requirements of § 17.218.

(5) Other methods that result in making the program or activity accessible to handicapped persons.

3. Policies

a. MANAGEMENT POLICIES BOOK, CHAPTER VIII
Accessibility For Disabled Persons in Concession Operations

For overall policy statements, principles and implementation, see Architectural Accessibility (Section A) of this chapter.

b. SPECIAL DIRECTIVE 83-3 - POLICIES ON ACCESSIBILITY
RELATED TO SPECIFIC NATIONAL PARK SERVICE FUNCTIONS

For overall policy statements, principles and implementation, see Architectural Accessibility (Section A) of this chapter.

1. Cultural Resource Management And Preservation

For overall policy statement, see Architectural Accessibility (Section A) of this chapter.

2. Program Accessibility For Disabled Persons

It is the policy of the National Park Service to assure that, to the extent possible and reasonable, all interpretive programs, recreational activities, concession operated and privately sponsored activities, publications, and any other information provided to the park visitor and/or employee shall be provided in such a way that disabled people can receive as close to the same benefits as the non-disabled person. This will include taking appropriate steps to assure that information provided in auditory ways is also available for hearing impaired persons; that information provided visually is also available to those with visual impairments; and that information provided in areas that are not architec-

turally accessible to physically disabled persons is also provided to the extent possible in accessible locations.

3. Park Planning For Accessibility For Disabled Persons

For overall policy statement, see Architectural Accessibility (Section A) of this chapter.

4. Off-Road Use Of Vehicles And Motorized Equipment

Disabled visitors will be bound by the same ORV regulations and restrictions as other visitors, and by the same park road limitations on size and weight of vehicles. Standard electric wheelchairs will be excluded from prohibitions against motorized vehicles. Motorized vehicles (other than electric wheelchairs) used as mobility aids may be permitted at the Superintendent's discretion.*