

Access Alert

The "New" ADAAG

November 3, 2010

The *2010 ADA Standards for Accessible Design* (aka "The New ADAAG") were officially adopted by the U.S. Department of Justice, making them enforceable as of 9/15/2010.

Five important notes:

1. **When To Use the 2010 ADA Standards.** Compliance with the *2010 Standards for Accessible Design* is permitted as of September 15, 2010, and is required as of March 15, 2012. Until March 15, 2012, the 1991 Standards can still be used.
2. **Element by Element Safe Harbor.** There is a general "safe harbor" under which elements that were built or altered in compliance with the 1991 Standards (ADAAG) are not required to be brought into compliance with the 2010 Standards until the elements are subject to a planned alteration. Similar safe harbors exist for elements associated with the "path of travel" to areas. Visit our website for [additional clarifications about safe harbors](#).
3. **Additional Scoping Requirements.** There are additional scoping requirements in the U.S. Department of Justice's ADA regulations that are not yet included in the 2010 ADA Standards for Accessible Design.
4. **Resources.** A short summary of the changes is available [online](#) on the DoJ web site. An informative (112 pp.) discussion of the scoping and technical changes in the 2010 Standards is also [available](#).
5. **Updated At-A-Glance Guide.** KMA has updated its *At-A-Glance Guide to 521 CMR, the Fair Housing Act, and the 2010 ADA Standards*. In a new, easy-to-use electronic format, it will be available for sale in time for the holidays. Click [here](#) to be added to the waiting list or inquire further.

[Kessler McGuinness & Associates, LLC](#), is a nationally known firm that specializes in accessibility compliance planning through access audits, access master plans, architectural plan review, accessible design review protocols, training and resource development. We also serve as expert witnesses for plaintiffs and defendants. Clients include airports, commercial property owners, educational institutions, government agencies, architects, and attorneys.

Please call, 617-641-2802, if you have any questions or would like to discuss one of your projects.

