Americans with Disabilities Act - Title III

Requirements for Public Accommodations

Coverage

Covered Buildings and Facilities

The Title III design requirements apply to the facilities of places of public accommodation and commercial facilities whether or not they receive Federal funds.

Place of Public Accommodation Defined

Title III defines a place of public accommodation as a facility, operated by a private entity, whose operations affect commerce and that falls within at least one of the following categories:

- An inn, hotel, motel, or other place of lodging, except for an establishment located within a building that contains not more than five rooms for rent or hire and that is actually occupied by the proprietor of the establishment as the residence of the proprietor;
- A restaurant, bar, or other establishment serving food or drink;
- A motion picture house, theater, concert hall, stadium, or other place of exhibition or entertainment;
- An auditorium, convention center, lecture hall, or other place of public gathering;
- A bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment;
- A laundromat, dry cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, gas station, office of an accountant or lawyer, pharmacy, insurance office, professional office of a health care provider, hospital, or other service establishment;
- A terminal, depot, or other station used for specified public transportation;
- A museum, library, gallery, or other place of public display or collection;
- A park, zoo, amusement park, or other place of recreation;
- A nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education;
• A day care center, senior citizen center, homeless shelter, food bank, adoption agency, or other social service center establishment; and
• A gymnasium, golf course, or other place of exercise or recreation.

Commercial Facility Defined
Title III defines a commercial facility as a facility (1) whose operations will affect commerce; (2) that is intended for nonresidential use by a private entity; (3) that is covered or expressly exempted from the Fair Housing Act of 1968; and (4) that is not an aircraft or railroad vehicle. Examples include factories, warehouses, office buildings, and other buildings where employment may occur.

Under Title III, **facility** means all or any portion of buildings; structures; sites; complexes; equipment; rolling stock or other conveyances (such as cruise ships, floating restaurants, etc.); roads; walks; passageways; parking lots; or other real or personal property, including the site where the building, property, structure, or equipment is located.

Exempted Facilities
Title III exempts the facilities of the following entities from its new construction and alteration design requirements: state and local governments, private clubs, religious organizations or entities controlled by a religious organization, private homes (if used exclusively as a residence), and multi-family housing.

ADA Information
Call the DOJ Toll-Free ADA Information Line for answers to general and technical questions about the ADA and to order technical assistance materials: 800-514-0301 (voice) 800-514-0383 (TTY). Visit the DOJ ADA web site to see the Title III regulations and related guidance at ada.gov.