

ADA TICKETING

SUMMARY

The Americans with Disabilities Act (ADA) is a federal civil rights law. This law requires state and local governments to make reasonable modifications in their policies, practices, or procedures to ensure that persons with disabilities have access to state and local government services and programs.

This procedure provides guidance on the sale of tickets for accessible seating, identification of available accessible seating, ticket prices, purchasing multiple tickets, the hold and release of accessible seating to persons other than those who need accessible seating, ticket transfer, secondary ticket market, and the prevention of the fraudulent purchase of accessible seating. It requires County facilities to accommodate an individual with a disability who acquired inaccessible seating on the secondary ticket market only when there is unsold accessible seating for that event.

PROCEDURE

Ticket Sales:

A County facility that sells tickets for a single event or series of events must modify its policies, practices, or procedures to ensure that individuals with disabilities have an equal opportunity to purchase tickets for accessible seating:

1. During the same hours;
2. During the same stages of ticket sales, including, but not limited to, pre-sales, promotions, lotteries, wait-lists, and general sales;
3. Through the same methods of distribution;
4. In the same types and numbers of ticketing sales outlets, including telephone service, in-person ticket sales at the facility, or third-party ticketing services, as other patrons; and
5. Under the same terms and conditions as other tickets sold for the same event or series of events.

Identification of available accessible seating:

A County facility that sells or distributes tickets for a single event or series of events shall, upon inquiry:

1. Inform individuals with disabilities, their companions, and third parties purchasing tickets for accessible seating on behalf of individuals with disabilities of the locations of all unsold or otherwise available accessible seating for any ticketed event or events at the facility;
2. Identify and describe the features of available accessible seating in enough detail to reasonably permit an individual with a disability to assess independently whether a given accessible seating location meets his or her accessibility needs; and
3. Provide materials, such as seating maps, plans, brochures, pricing charts, or other information, that identify accessible seating and information relevant thereto with the same text or visual representations as other seats, if such materials are provided to the general public.

Ticket Prices:

The price of tickets for accessible seating for a single event or series of events shall not be set higher than the price for other tickets in the same seating section for the same event or series of events. Tickets for accessible seating must be made available at all price levels for every event or series of events. If tickets for accessible seating at a particular price level are not available because of inaccessible features, then the percentage of tickets for accessible seating that should have been available at that price level (determined by the ratio of the total number of tickets at that price level to the total number of tickets in the assembly area) shall be offered for purchase, at that price level, in a nearby or similar accessible location.

Purchasing multiple tickets:

1. For each ticket for a wheelchair space purchased by an individual with a disability or a third-party purchasing such a ticket at his or her request, a County facility shall make available for purchase three additional tickets for seats in the same row that are contiguous with the wheelchair space, provided that at the time of purchase there are three such seats available. A County facility is not required to provide more than three contiguous seats for each wheelchair space. Such seats may include wheelchair spaces.
2. Insufficient additional contiguous seats available. If patrons are allowed to purchase at least four tickets, and there are fewer than three such additional contiguous seat tickets available for purchase, a County facility shall offer the next highest number of such seat tickets available for purchase and shall make up the difference by offering tickets for sale for seats that are as close as possible to the accessible seats.
3. Sales limited to less than four tickets. If a County facility limits sales of tickets to fewer than four seats per patron, then the County facility is only obligated to offer as many seats to patrons with disabilities, including the ticket for the wheelchair space, as it would offer to patrons without disabilities.
4. Maximum number of tickets patrons may purchase exceeds four. If patrons are allowed to purchase more than four tickets, a County facility shall allow patrons with disabilities to purchase up to the same number of tickets, including the ticket for the wheelchair space.
5. Group sales. If a group includes one or more individuals who need to use accessible seating because of a mobility disability or because their disability requires the use of the accessible features that are provided in accessible seating, the group shall be placed in a seating area with accessible seating so that, if possible, the group can sit together. If it is necessary to divide the group, it should be divided so that the individuals in the group who use wheelchairs are not isolated from their group.

Hold-and-release of tickets for accessible seating:

1. Tickets for accessible seating may be released for sale in certain limited circumstances. The County facility may release unsold tickets for accessible seating for sale to individuals without disabilities for their own use for a single event or series of events only under the following circumstances:
 - a. When all non-accessible tickets (excluding luxury boxes, club boxes, or suites) have been sold;
 - b. When all non-accessible tickets in a designated seating area have been sold and the tickets for accessible seating are being released in the same designated area; or
 - c. When all non-accessible tickets in a designated price category have been sold and the tickets for accessible seating are being released within the same designated price category.

2. No requirement to release accessible tickets: Nothing in this paragraph requires a County facility to release tickets for accessible seating to individuals without disabilities for their own use.
3. Release of series-of-events tickets on a series-of-events basis:
 - a. Series-of-events tickets sell-out when no ownership rights are attached. When series-of-events tickets are sold out and a County facility releases and sells accessible seating to individuals without disabilities for a series of events, the County facility shall establish a process that prevents the automatic reassignment of the accessible seating to such ticket holders for future seasons, future years, or future series so that individuals with disabilities who require the features of accessible seating and who become newly eligible to purchase tickets when these series-of-events tickets are available for purchase have an opportunity to do so.
 - b. Series-of-events tickets when ownership rights are attached. When series-of-events tickets with an ownership right in accessible seating areas are forfeited or otherwise returned to a County facility, the County facility shall make reasonable modifications in its policies, practices, or procedures to afford individuals with mobility disabilities or individuals with disabilities that require the features of accessible seating an opportunity to purchase such tickets in accessible seating areas.

Ticket transfer:

Individuals with disabilities who hold tickets for accessible seating shall be permitted to transfer tickets to third parties under the same terms and conditions and to the same extent as other spectators holding the same type of tickets, whether they are for a single event or series of events.

Secondary ticket market:

1. A County facility shall modify its policies, practices, or procedures to ensure that an individual with a disability may use a ticket acquired in the secondary ticket market under the same terms and conditions as other individuals who hold a ticket acquired in the secondary ticket market for the same event or series of events.
2. If an individual with a disability acquires a ticket or series of tickets to an inaccessible seat through the secondary market, a County facility shall make reasonable modifications to its policies, practices, or procedures to allow the individual to exchange his ticket for one to an accessible seat in a comparable location if accessible seating is vacant at the time the individual presents the ticket to the County facility.

Prevention of fraud in purchase of tickets for accessible seating:

A County facility may not require proof of disability, including, for example, a doctor's note, before selling tickets for accessible seating.

1. Single-event tickets. For the sale of single-event tickets, it is permissible to inquire whether the individual purchasing the tickets for accessible seating has a mobility disability or a disability that requires the use of the accessible features that are provided in accessible seating, or is purchasing the tickets for an individual who has a mobility disability or a disability that requires the use of the accessible features that are provided in the accessible seating.
2. Series-of-events tickets. For series-of-events tickets, it is permissible to ask the individual purchasing the tickets for accessible seating to attest in writing that the accessible seating is

for a person who has a mobility disability or a disability that requires the use of the accessible features that are provided in the accessible seating.

3. Investigation of fraud. A County facility may investigate the potential misuse of accessible seating where there is good cause to believe that such seating has been purchased fraudulently.

Note:

For the purposes of this procedure, “accessible seating” is defined as wheelchair spaces and companion seats that comply with sections 221 and 802 of the 2010 ADA Standards for Accessible Design along with any other seats required to be offered for sale to the individual with a disability pursuant to the provisions under “Purchasing multiple tickets” of this Procedure.

CONTACT(S):

Department/Division

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