



## Ticketing

The Americans with Disabilities Act (ADA) requires many government and private organizations (entities) to provide tickets for accessible seating to individuals with disabilities at events where tickets are sold for assigned seats. The Department of Justice issued new regulations covering ticketing and accessible seating that took effect on March 15, 2011. [§36.302(f), §35.138] These regulations apply to Title II (state and local government programs) and Title III entities (private businesses, a.k.a. places of public accommodations such as restaurants, sports stadiums, movie theaters, concert venues, and so on).

### Who Is Eligible to Purchase Tickets for Accessible Seats

Individuals with disabilities who use wheelchairs or other mobility devices may purchase tickets for accessible seats. Other individuals with disabilities are eligible to purchase tickets for accessible seats if they require the use of the features of accessible seating. A ticket purchaser may, for example, have a service animal that requires the additional space offered by accessible seating.

### General Requirements

Any government or private entity that sells tickets for a single event or a 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:

- During the same hours as other patrons;
- During the same stages of ticket sales, including but not limited to, pre-sales, promotions, lotteries, waitlists, and general sales;
- Through the same methods of distribution;
- 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; and
- Under the same terms and conditions as other tickets sold for the same event or series of events.

### If a ticketing entity is asked, it must:

- Inform individuals with disabilities, their companions, and third parties purchasing tickets for individuals with disabilities of the locations of all unsold or otherwise available accessible seating for any ticketed event at the facility;
- Identify and describe the features of available accessible seating in enough detail to reasonably permit an individual with a disability to decide independently whether the seating meets his or her accessibility needs; and
- Provide materials, such as seating maps, plans, brochures, pricing charts, or other information, that identify accessible seating 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 must not be higher than the price of other tickets in the same seating section for the same event. Tickets for accessible seating must be made available at all price levels for every event. If tickets for accessible seating are not offered at a particular price level because barrier removal in an existing facility is not readily achievable, the percentage of tickets for accessible seating that should have been available at that price level must be offered for purchase, at that price level, in a nearby or similar accessible location. The percentage is determined by the ratio of the total number of tickets at that price level to the total number of tickets for sale overall.

## **Purchasing Multiple Tickets**

A patron who buys a ticket for an accessible seat must be allowed to purchase three additional tickets for seats next to the wheelchair space, provided that the seats are available at the time of purchase. Such seats may include wheelchair spaces.

If fewer than three additional adjacent seats are available for purchase, the patron with disabilities must be offered tickets for seats that are as close as possible to the accessible seats.

If there is a limit to the number of tickets any patron may purchase, patrons with disabilities must be offered the same number of seats as patrons without disabilities, including the ticket for the wheelchair space.

In all cases, if a group includes one or more individuals who need to use accessible seating, the group must be placed so they can sit together whenever possible.

If it is necessary to divide the group, it should be divided so that the people in the group who require accessible seats are not isolated from the group.

## **Hold and Release of Tickets for Accessible Seating**

Tickets for accessible seating may be released for sale to individuals without disabilities only when:

- All non-accessible tickets (excluding luxury boxes, club boxes, or suites) have been sold; or
- 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
- 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.

A facility is never required to release tickets for accessible seating to individuals without disabilities.

When series tickets are sold out and the accessible seating is released for sale to individuals without disabilities, the entity must have a procedure to prevent automatically reassigning the accessible seating to individuals without disabilities for future series, so that accessible seating is available to individuals with disabilities for future series.

When series tickets with an ownership right in accessible seating areas are given up or returned, the entity selling tickets must make a reasonable effort to make them available to individuals with disabilities who need accessible seating.

## **Ticket Transfer**

Individuals with disabilities who hold tickets for accessible seating must be permitted to transfer tickets to third parties under the same terms and conditions as other patrons holding the same type of tickets. This rule applies to both single event and series tickets.

## Secondary Ticket Market

Policies, practices, or procedures regarding the use of tickets acquired in the secondary ticket market must be the same for individuals with and without disabilities.

If an individual with a disability acquires a ticket or ticket series to inaccessible seating through the secondary market, the individual must be allowed to exchange the ticket for an accessible seat in a comparable location if one is available at the time the individual presents the ticket.

## Prevention of Fraud

Individuals with disabilities are not required to provide any proof of disability when purchasing a ticket for accessible seating. For the sale of single-event tickets, sellers may only ask whether the ticket is for an individual who has a disability that requires the features of the accessible seating.

For series tickets, sellers can ask for written assurance by the purchaser that the accessible seating is for a person who has a disability that requires the use of the accessible seating features. The seller may investigate a purchaser if there is good cause to believe that accessible seating has been purchased fraudulently.

## New Requirements for Assembly Areas from the 2010 Standards

Assembly areas are stadiums, arenas, movie theaters, lecture halls, and similar types of facilities.

New construction or alterations on or after March 15, 2012 must comply with the 2010 ADA Standards. [Sections 221, 802 as well as §35.151(g) and §36.406(f)].

§35.151(g) of the Title II regulations and 36.406(f) of the Title III regulations have specific requirements affecting the distribution and location of wheelchair and companion seating in stadiums, arenas, grandstands and stadium style movie theaters. Title II regulations for Assembly Areas may be found at: [http://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35151](http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35151);  
for Title III at [http://www.ada.gov/regs2010/titleIII\\_2010/titleII\\_2010\\_regulations.htm#a406](http://www.ada.gov/regs2010/titleIII_2010/titleII_2010_regulations.htm#a406).

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<http://www.adainfo.org/>

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