

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 70.—Nondiscrimination on the Basis of Disability by Public Accommodations

21-70-32. Transportation.

(a) Each public accommodation which provides any transportation service, shall ensure that each service provided by the public accommodation is available and accessible to people with disabilities. Necessary modifications may include:

- (1) retrofitting with lifts or ramps
- (2) retrofitting with P.A. systems
- (3) retrofitting with visible signage
- (4) using color coding on vehicles and routes

(b) Only those modifications which are readily achievable shall be required.

However, good faith efforts shall be made to accomplish readily achievable modifications which make transportation services as accessible as possible. This regulation shall not be considered to require premature replacement of any existing vehicle.

(c) All services shall be provided equally in the most integrated manner possible to all individuals with disabilities including:

- (1) equal fares for all people regardless of accommodation provided;
- (2) equal access to all discounts, specials, programs, passes, and any other event or service in the most integrated setting possible;
- (3) accessibility to all fixed routes and shuttle services operated by units and subdivisions of government, unless an undue hardship would occur; and
- (4) use of accessible vehicles in the existing fleet of vehicles, operating to the maximum extent feasible.

When determining whether an activity referred to herein is readily achievable, providing an equivalent accommodation by contractual or other indirect means shall be considered.

(d) Each new vehicle used to transport the general public shall be accessible unless the vehicle is not generally available in an accessible design from factory dealerships or custom chassis or body manufacturers. At a minimum, a nationwide search shall be undertaken for vehicles available in an accessible design before it can be claimed as a defense that it is not possible to obtain them.

(Authorized by K.S.A. 44-1004; implementing K.S.A. 44-1009; effective Dec. 19, 1994.)

***** Authenticated Kansas Administrative Regulation *****