



SEGD ADA White Paper Addendum

State-by-State Guidelines

Sponsored by ASI with Dixie Graphics, Nova Polymers, and Accent Signage Systems

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PART 12 | Addendum

The information in this addendum will change as states update their regulations. It is important to confirm the information with your own research at state level.

The United States governmental system is based on the concept of federalism, or power shared between states and the federal government. In the case of the Americans with Disabilities Act (ADA), individual states have the right to determine their own laws on subjects not specifically reserved by the federal government and may also exceed federal mandates where they exist. State regulations regarding the ADA must be approved by the Justice Department (the enforcing entity) and must meet at least the minimum standard of the federal mandate. Although the 2004 ADA guidelines are nearing federal approval, the last federal ADA mandates date to 1991, so many states have updated their regulations based on four specific approaches:

- A decision to maintain the original 1991 ADAAG.
- A decision to adopt the 2004 ADAAG before the federal government adopts it as a mandate.
- A decision to adopt accessibility aspects of a model building code, specifically the International Building Code (IBC) 2003 or 2006 edition, which incorporates the American National Standards Institute (ANSI)-117.1A standard on accessibility. These codes are almost identical to the most recent federal ADAAG.
- A prior decision to develop their own accessibility code and bring it into accordance with the latest ADAAG.

This addendum is meant to be used in conjunction with the SEGD ADA White Paper, specifically section 11, which compares the 1991 and 2004 ADAAG. Since state codes may change frequently, it is important to confirm the information listed here with additional research, especially if the state has developed their own accessibility code. Some cities and Canadian provinces also have their own codes, but they will be covered in a separate addendum.

States Utilizing 2003 IBC and 2004 ADAAG with Few Changes

Alaska – no enforcement
Connecticut
Idaho
Indiana – pending DOJ Certification
Maine – pending DOJ Certification
Michigan
Montana
Nevada
New Hampshire
New Jersey
New Mexico
New York
North Dakota
Oklahoma
Oregon
Pennsylvania
Rhode Island
South Carolina
South Dakota
Utah – pending DOJ Certification
Virginia
Washington – pending DOJ Certification
Wisconsin

States Utilizing the 1991 ADAAG

Alabama
Arizona
Arkansas
Colorado
Delaware
District of Columbia
Florida
Georgia
Hawaii
Illinois
Iowa
Kansas
Louisiana
Mississippi
Missouri
Ohio
Vermont
West Virginia
Wyoming

States Utilizing Their Own Accessibility Code

California – Title 24
Kentucky
Maryland
Massachusetts
Minnesota
North Carolina
Tennessee – based on North Carolina
Texas – substantially follows 1991 ADAAG with small changes