

Bills designed to address ADA-small business concerns

Two measures that would curtail frivolous Americans with Disabilities Act lawsuits and pinpoint conflicting state and federal ADA regulations were introduced this week by Assemblywoman Beth Gaines, R-Roseville.

Assembly Bill 187, would give California's most vulnerable small businesses an opportunity to correct an ADA violation before a lawsuit can be filed. Once a business has received a written notice of violation, it would be given 120 days to bring the business into compliance.

Approximately 98 percent of California businesses are out of compliance with state and/or federal disability access laws.

An attorney has for several years been working Northern California, including Lake Tahoe, get money out of compliant storefronts.

The complex and inconsistent regulations regarding disability access make it difficult for willing business owners to comply with the complicated and changing regulations and give lawsuit abusers the opportunity to take advantage of the confusing laws. This is harmful to both individuals with a disability seeking access and businesses that are exposed to civil actions, Gaines said.

"The unfortunate reality is that there are individuals who are capitalizing on the complex access regulations enacted by the state and federal government for personal benefit," Gaines said in a statement. "Businesses can be sued for thousands of dollars for simple faults such as a railing height being off by a centimeter or parking lot striping not being the right shade of a particular color. Many times, businesses want to correct the error to allow for more access to their place of

business. These frivolous lawsuits are making it harder for the business to come into compliance, especially in this difficult economic environment.”

The other measure, Assembly Bill 1879, requires the state architect to compile a list of all federal and state disability access regulations and any conflicts in state and federal regulations must be identified.

There will be a meeting

March 15 at 6pm in Pollock Pines to discuss the ADA issues and how businesses in El Dorado County are being targeted by one attorney in particular.

The meeting will be at the Community Center.

For more information, call Kitty Miller at (530) 621.5651.