

*Title IV: TELECOMMUNICATIONS*

This Title covers regulations regarding private telephone companies and requires common carriers offering telephone services to the public, to increase the availability of interstate and intrastate telecommunications relay services to individuals with hearing and speech impairments.

*Title V: MISCELLANEOUS PROVISIONS*

This title contains several miscellaneous regulations, including construction standards and practices, provisions for attorney's fees, and technical assistance provisions.

## **1.2 City Responsibilities Under the ADA.**

The City of Big Spring has various responsibilities under Title II of the ADA. Title II of the ADA is similar to Section 504 of the Rehabilitation Act of 1973, but differs in that Section 504 applies only to government agencies that receive federal financial assistance.

Title II mandates that a public entity, such as the City of Big Spring must operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to, and usable by, individuals with disabilities. **However, as described in Title 28 of the Code of Federal Regulations, Section 35.150(a) (hereafter referred to as the ADA Rules), this does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities. Nor does it require a public entity to take any action that would threaten or destroy the historical significance of an historic property. If the public entity can demonstrate that a modification would fundamentally alter the nature of its service, program, or activity, or cause undue financial and administrative burdens, it is not required to make that particular modification.**

In the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons must develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. That plan is to identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities; describe in detail the methods that will be used to make the facilities accessible; specify the schedule for taking the steps necessary to achieve compliance in making the facilities accessible; and indicate the official responsible for implementation of the plan.

In addition to those requirements set forth above, in the event a public entity has responsibility or authority over streets, roads, or walkways, the transition plan is to include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act. This Curb Ramp Transition Plan is Phase I of the City of Big Spring ADA Transition Plan.