Voting Accessibility for the Elderly and Handicapped Act of 1984

The Voting Accessibility for the Elderly and Handicapped Act of 1984 generally requires polling places across the United States to be physically accessible to people with disabilities for federal elections. Where no accessible location is available to serve as a polling place, there must be an alternate means of casting a ballot, such as a home visit. This law also requires states to make available registration and voting aids for voters who have a disability or who are elderly, including information by telecommunication devices for the deaf (TDDs) which are also known as teletypewriters (TTYs).

Title III

✓ Title III covers private businesses and non-profit service organizations, public accommodations and commercial facilities.
✓ Many private clubs and religious organizations are exempt from providing access to the public. However, if a religious organization or private club is involved in an event that is open to the public, or is providing services to a branch of local, state or federal government, then ADA compliance is required.

Legal Requirements of Accessibility

✓ People that are elderly or people with disabilities have the same opportunity to full access and full participation in the voting process, including privacy and independence.
✓ If a voter cannot get into the polling place, the voter does not have the same opportunity as other voters. Access must be provided on a permanent or temporary basis on the day of the election.

Help America Vote Act of 2002

With the enactment of the Help America Vote Act of 2002 (HAVA), 42 U.S.C. 15301-15545, people who are elderly or who have disabilities are now entitled to even more protection and inclusion in the election process.

Disability Provisions of HAVA

HAVA promises improved access to voting for people who are elderly or who have disabilities.
✓ Making accessibility grants available to states and local government to improve physical and non-visual access to polling places.
✓ Creating minimum standards for accessibility of voting systems that states must follow.
✓ Mandating that states include people with disabilities on the creation of a State Plan for compliance with the Act’s requirements; and
✓ Providing for funding on research for accessible voting technology.

What Is Required In An Accessible Polling Place?

✓ No registered voter should be denied the right to vote solely on the basis of physical or mental disability.
✓ The accessibility of polling places in Alabama is required to be accessible to voters who are elderly or who have mental or physical disabilities. Legal Requirements of Accessibility.

Building Access

✓ Parking: Accessible spaces should be clearly marked. They should be on level ground at the shortest distance to the accessible entrance to the voting facility. The number of spaces should be no less than 4% of the total number of spaces. If the facility houses other businesses on election day, the number of accessible spaces must be adequate to accommodate voters as well as others.
✓ Accessible Route: The path of travel from the parking area to the facility should be a continuous, wide, smooth, as level as possible, without too many transitions.
✓ Doors: Doors should be easy to open and close. Doors should not be less than 32" wide. In some circumstances, double doors with a middle divider can create a barrier. Doors may be temporarily removed, or doors with a barrier should be replaced with offset hinges that provide greater clearance. Doors should be lightweight, and have proper handles so people who have limited strength or use of their hands can enter. If this is a barrier, doors can be propped open, or poll workers can simply open the door for people who need this accommodation.

Inside the Building

✓ Signs: Signs inside the building should be simple, very easy to read, and the font height should be large enough to be read from a distance. The word "Handicapped" should not be used.
✓ Curb Ramps: Curb ramps are level changes created by curbs. A curb ramp that is ADA compliant must have slopes no steeper than 1 in 12. They may have flared sides that slope as steeply as 1 in 10 if the flare is directly in the pedestrian path of travel, perpendicular to the curb ramp. Many manufacturers now make portable ramps designed for use at temporary events. It is critical that the ramp be designed not to move or shift from frequent use and is securely attached so a person would not tip over or fall out of a wheelchair or scooter. Many civic organizations have constructed temporary ramps for disability groups at no cost.
✓ Sidewalks: Since the law requires accessible routes from parking and other areas, both the design and surface condition of the routes are critical. Routes may have several changes of surface material along the way, for example, grass to gravel to asphalt to concrete to brick. Small abrupt level changes often occur at material changes that may pose tripping hazards or obstacles to voters. All abrupt vertical changes greater than 1/2 inch should be replaced or, where appropriate, should have small steps installed to create gradual transitions.

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Legal Requirements of Accessibility

People that are elderly or people with disabilities have the same opportunity to full access and full participation in the voting process, including privacy and independence.

If a voter cannot get into the polling place, the voter does not have the same opportunity as other voters. Access must be provided on a permanent or temporary basis on the day of the election.

Further, if election workers treat a person with a disability in a discriminatory manner, the accessibility of the polling facility can be called into question.

Building Access

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Accessible Route: The path of travel from the parking area to the facility should be a single continuous, wide, smooth, as level as possible, without too many transitions or obstructions, and should not require the use of stairs.
Signage: Signs are required to direct the public to the location of accessible parking and passenger drop off points. Signs are needed to direct and identify accessible entrances and should include the international symbol of accessibility in easy to read typefaces, and be large enough to be read from a distance. The word “Handicapped” should not be used.
Curb Ramps: Curb ramps are level changes created by curbs. A curb ramp that is ADA compliant must have slopes no steeper than 1 in 12. They may have flared sides that slope as steeply as 1 in 10 if the flare is directly in the pedestrian path of travel, perpendicular to the curb ramp. Many manufacturers now make portable ramps designed for use at temporary events. It is critical that the ramp be designed not to move or shift from frequent use and is securely attached so a person would not tip over or fall out of a wheelchair or scooter. Many civic organizations have constructed temporary ramps for disability groups at no cost.
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Disability Awareness

有效的 Disability Disabilities: This includes people that have permanent disabilities as well as others who may have a temporary condition such as broken bones, illness, trauma or surgery.

People who use mobility aids encounter the most obvious access problems including maneuvering through narrow spaces, going up or down steep paths, moving over rough or uneven surfaces, and using toilet facilities. Other people with mobility disabilities may walk with difficulty and be unable to climb stairs, walk for long distances, climb slopes, or stand for long periods of time.

有效的 Visual Disabilities

- Partial or total vision loss.
- Can distinguish light and dark, sharply contrasting colors, or large print, but cannot read small print, move freely in dimly lit spaces, or tolerate high glare.
- Many people that are blind depend on their sense of touch and hearing to perceive their environment and communicate with others.
- People that are blind may use a cane or have a service animal or assistant to facilitate moving about.
- Problems faced by people with visual disabilities include orientation, receiving written or graphic information, using controls that are not adequately labeled, and avoiding hazardous protruding objects that they cannot detect.

有效的 Hearing Disabilities:

- People with hearing disabilities use a variety of methods to communicate.
- People with partial hearing loss may depend on hearing aids, or as with many people who are elderly, just need a person to speak clearly and in a loud voice.
- Many people who are deaf read lips or use sign language.
- Some people with hearing disabilities may have service animals that communicate sounds that their owner cannot hear.

有效的 Cognitive Disabilities and Other Hidden Conditions:

There are many other people with disabilities that may not be apparent from a persons outward appearance. These disabilities may affect cognitive and/or learning abilities and may affect understanding, communication, or behavior. Election workers should be considerate of all people whether the disability can be seen or not.

Communication Tips with a Deaf/Hard of Hearing person:

- Get the person’s attention (tap on shoulder).
- Look directly at the person while communicating.
- Talk in a normal manner - slowly and clearly. Do not yell or exaggerate.
- Write down your thoughts if the message is not being received.
- Avoid standing in front of a light source like the window or bright light if not understood at first, repeat your thought or rephrase your thought.
- Use an interpreter for the deaf to help facilitate your conversation with communication, use your body language and facial expressions.

有效的 Practical Tips - Interacting with Voters with Disabilities

- Train poll workers in disability etiquette. If someone is blind or visually impaired, identify yourself and offer assistance.
- Provide magnifying devices for those who request them.
- The recommended size for "large print" is an 18 point sans serif font.
- Have a pad of paper and pen handy in case someone is deaf or unable to speak.
- If the accessible entrance is not obvious, provide directional signs that meet ADA standards.
- Provide a private voting station with a maximum height of 34" for wheelchair users and people who need to sit.
- Make provisions to ensure walkways are free of hazards like ice, snow, leaves, or other debris on the day of election.
- Complete the Department of Justice’s Check list (or equivalent) to identify any physical barriers.

有效的 Service Animals Welcome!

- A “service animal” is usually a dog, that is individually trained to perform specific tasks for the benefit of a person with a disability.
- Examples: guiding a person who is blind, alerting a person who is deaf, picking up objects for a person who uses a wheelchair.
- A service animal is NOT a companion or emotional therapy animal under the ADA and may be denied access to public places.
- Some, but not all, service animals wear special collars and harnesses.

有效的 Voting Rights for People with Disabilities

- People that are elderly and people with disabilities have faced many different barriers throughout history that interfere with their fundamental right to vote. They may choose not to participate in the voting process because of their reluctance to ask for help. They may want to avoid the extra attention given, or the embarrassing situations that can occur when strangers want to help.

- Alabama recognized the needs of these individuals and passed legislation in an attempt to ensure that all barriers were removed to allow every qualified voter the opportunity to vote. (1)

Federal Laws Protect the Rights of People who are Elderly or who have Disabilities

The Americans With Disabilities Act of 1990

- The Americans With Disabilities Act of 1990 (ADA) prohibits discrimination against qualified people with disabilities. The law guarantees access to programs and services run by the state and local governments. The ADA is comprised of five sections or “titles” that cover different aspects of non-discrimination.