

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

HB22-1253 be amended as follows:

1 Amend printed bill, page 2, strike line 5 and substitute "**requirements -**
2 **failure to comply - definitions.** (1) (a) THE GENERAL ASSEMBLY HEREBY
3 FINDS AND DECLARES THAT:

4 (I) THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990",
5 42 U.S.C. SEC. 12182 (a) STATES THAT "[N]O INDIVIDUAL SHALL BE
6 DISCRIMINATED AGAINST ON THE BASIS OF DISABILITY IN THE FULL AND
7 EQUAL ENJOYMENT OF THE GOODS, SERVICES, FACILITIES, PRIVILEGES,
8 ADVANTAGES, OR ACCOMMODATIONS OF ANY PLACE OF PUBLIC
9 ACCOMMODATION";

10 (II) FOR THE PURPOSES OF 42 U.S.C. SEC. 12182 (a),
11 DISCRIMINATION INCLUDES "A FAILURE TO MAKE REASONABLE
12 MODIFICATIONS IN POLICIES, PRACTICES, OR PROCEDURES, WHEN SUCH
13 MODIFICATIONS ARE NECESSARY TO AFFORD SUCH GOODS, SERVICES,
14 FACILITIES, PRIVILEGES, ADVANTAGES, OR ACCOMMODATIONS TO
15 INDIVIDUALS WITH DISABILITIES," UNLESS THE ACCOMMODATION WOULD
16 WORK A FUNDAMENTAL ALTERATION OF THOSE SERVICES AND FACILITIES;

17 (III) THE UNITED STATES DEPARTMENT OF JUSTICE HAS FOUND AT
18 LEAST ONE RENTAL CAR AGENCY TO BE A PUBLIC ACCOMMODATION UNDER
19 THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C.
20 SEC. 12182 (a);

21 (IV) CERTAIN ADAPTIVE EQUIPMENT CAN BE NECESSARY FOR
22 PERSONS WITH A DISABILITY TO DRIVE AN AUTOMOBILE; AND

23 (V) THE PROVISION OF SUCH ADAPTATIVE EQUIPMENT IS
24 REASONABLE AND NOT A FUNDAMENTAL ALTERATION OF THE SERVICES
25 PROVIDED BY A RENTAL CAR AGENCY.

26 (b) THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY IN
27 ENACTING THIS SECTION TO PREVENT DISCRIMINATION AGAINST PERSONS
28 WITH A DISABILITY BY REQUIRING THAT SUCH PERSONS HAVE THE ABILITY
29 TO MAKE ONLINE RESERVATIONS FOR AUTOMOBILES WITH ADAPTIVE
30 EQUIPMENT WITH RENTAL CAR AGENCIES THAT RENT AT LEAST SOME
31 MOTOR VEHICLES WITH A GROSS WEIGHT OF LESS THAN FOUR THOUSAND
32 POUNDS.

33 (2) AS USED IN THIS SECTION".

34 Renumber succeeding subsections accordingly.

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