

**SUBJECT  
AMERICANS WITH  
DISABILITIES ACT  
COMPLIANCE FOR  
CUSTOMERS**

**POLICY NUMBER  
3.10**



**POLICY MAINTENANCE ADMINISTRATOR:** Bureau of Office Services, Division of Administrative Services

**PURPOSE/SCOPE:** To establish policy regarding equal access for customers, prospective customers and other stakeholders with disabilities and to ensure the Department of Highway Safety and Motor Vehicles (DHSMV) is in compliance with the non-discrimination provisions of State and Federal laws, rules, and executive orders.

## I. AUTHORITY

The Americans with Disabilities Act of 1990, Titles I and V  
Federal Law, The Americans with Disabilities Act (ADA) of 1990, as amended

Chapter 760, Florida Statutes, the Florida Civil Rights Act

Governor's Executive Order 11-03 and Code of Ethics, effective January 4, 2011

## II. DEFINITIONS

- A. Internal ADA Coordinator - As described in DHSMV Policy 3.02, the Executive Director has designated the Chief, Bureau of Personnel Services as the Internal ADA Coordinator. The Designee is responsible for providing information, resources, and technical assistance to managers, supervisors and members in complying with ADA requirements, with a particular emphasis in ADA compliance regarding employment actions.
- B. External ADA Coordinator - The Executive Director has designated the DHSMV Risk Manager as the External ADA Coordinator. The External ADA Coordinator is responsible for providing information, resources and technical assistance related to ADA accessibility for customers regarding DHSMV facilities and access to DHSMV electronic services.
- C. Customer, prospective customer or stakeholder with a disability - One who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment, or is regarded as having such

<b>Executive Director</b> SIGNED ORIGINAL ON FILE	<b>Effective Date</b> 07/26/1992
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impairment. Major life activities include, but are not limited to, walking, working, seeing, hearing, speaking, breathing, learning, caring for oneself, sitting, standing, lifting, reading, and performing manual tasks.

### III. POLICY

The DHSMV assures access to customers, prospective customers and other stakeholders with disabilities, to include building access and access to electronic services. The Department will provide reasonable accommodations to ensure that services, programs and activities are readily accessible to those with disabilities.

### IV. ROLES AND RESPONSIBILITIES

#### A. Division of Administrative Services

1. To maintain a position of External ADA Coordinator for customers, prospective customers and other stakeholders;
2. The External ADA Coordinator will distribute pertinent information and coordinate technical assistance as needed to ensure physical and electronic access for customers with disabilities.
3. The External ADA Coordinator, in conjunction with the Internal ADA Coordinator, will ensure that all department practices and any provision of reasonable accommodations requested will comply with ADA requirements.

#### B. Supervisory Responsibility

1. Supervisors must immediately bring any request for access issues or any specific request for a reasonable accommodation regarding access issues from non DHSMV members that they receive to the attention of their chain of command, and to the External ADA Coordinator.

### V. PROCEDURES

#### A. Duty to Accommodate

The Department will, upon request, and after consultation with the Internal ADA and External ADA Coordinator, along with the guidance of the Office of General Counsel, provide a reasonable accommodation to the known physical or mental limitations of a customer with a disability, unless the accommodation would fundamentally alter the nature of the Department's mission, cause significant

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difficulty or expense, or otherwise impose an undue hardship. Examples of reasonable accommodation may include, but are not limited to:

1. Making facilities accessible to a person with a disability;
2. Acquiring or modifying equipment or devices; and
3. Modifying exams or training materials.

**B. Complaint of Discrimination**

Any customer, prospective customer or stakeholder who believes he or she has been unlawfully discriminated against on the basis of disability may file a complaint with the External ADA Coordinator, the DHSMV Risk Manager in the Bureau of Office Services. The External ADA Coordinator may be reached at the Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, FL 32399-0500, telephone (850) 617-3161. The External ADA Coordinator will then consult with the Internal ADA Coordinator and the Office of the General Counsel to form a timely response to the complainant. Written complaints will receive written replies. Oral complaints will receive oral replies.