



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

P4217 (0008)

OCT 30 2007

Mr. Richard Thesing
Mobility Golf
64 Alejandra
Atherton, CA 94027

Dear Mr. Thesing:

You have requested a clarification as to whether or not a public entity golf course, which provides golf carts on a rental basis, must also make accessible golf carts available for rental. We believe that the answer is yes. It is a reasonable modification to provide specialized golf carts for individual players with disabilities when carts are made available to other players without disabilities. In fact, with recent design developments for modified and single rider carts, there may be less wear and tear on tees, fairways, and greens than that caused by conventional carts and tires.

Unless it can be demonstrated that to do so would change the fundamental nature of the game of golf or cause an undue burden when the total resources of the entity are considered, we believe that public entities, which rent golf carts, must provide modified carts to golfers with disabilities for the same rental fee charged for conventional carts. We believe that an acceptable guide for the number of carts to initially have available is equal to the minimum number of accessible parking spaces as indicated in Americans with Disabilities Act Accessible Guidelines (ADAAG) 4.1.2(5)(a). However, it is reasonable to expect that if demand is consistently greater, then more accessible carts would be added to the inventory.

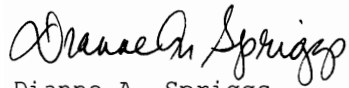
Our jurisdiction in addressing disability rights complaints filed against a local or state entity is as follows:

In the event that a complaint were to be filed, the complaint would be accepted for review pursuant to section

504 of the Rehabilitation Act of 1973, as amended, and Title II of the Americans with Disabilities Act (ADA). Respectively, these laws prohibit discrimination on the basis of disability in federally assisted programs of this Department and State and local governments, whether or not they receive Federal assistance. The National Park Service (NPS) has jurisdiction for all public entities for which it has administered Federal assistance and for those complaints which are delegated to it by reason of the Department of the Interior (DOI) being a designated enforcement agency under Title II of the ADA.

We hope that this information clarifies the issue. If further information is needed, please contact David Quirino of this Office at (202) 354-1871.

Sincerely,

A handwritten signature in black ink that reads "Dianne A. Spriggs". The signature is written in a cursive, flowing style.

Dianne A. Spriggs
Equal Opportunity Program Manager