

carrying a passenger is also a PCA-type service which is outside the scope of driver duties, and hence a fundamental alteration.

[80 FR 13261, Mar. 13, 2015, as amended at 80 FR 26196, May 7, 2015]

PART 38—AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY SPECIFICATIONS FOR TRANSPORTATION VEHICLES

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AUTHORITY: 42 U.S.C. 12101–12213; 49 U.S.C. 322.

SOURCE: 56 FR 45756, Sept. 6, 1991, unless otherwise noted.

Subpart A—General

§ 38.1 Purpose.

This part provides minimum guidelines and requirements for accessibility standards in part 37 of this title for transportation vehicles required to be accessible by the Americans With Disabilities Act (ADA) of 1990 (42 U.S.C. 1201 *et seq.*).

§ 38.2 Equivalent facilitation.

Departures from particular technical and scoping requirements of these guidelines by use of other designs and