

TECHNICAL ADVISORY

TA 344

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SUBJECT: Website ADA Compliance Resources

BACKGROUND: Independent agencies in some states are facing a wave of legal demand notices alleging that their websites are not accessible for visually impaired customers. Although website accessibility claims usually allege violations under the Americans with Disabilities Act (ADA), some claims are being made under the federal Fair Housing Act (FHA) and state law equivalent.

Plaintiff law firms typically review a company's website to identify ADA issues prior to sending a legal demand notice or filing a lawsuit. Having the ability to demonstrate compliance may help mitigate or avoid such claims, so it's important to make sure agencies' website are in compliance.

MAIN POINTS: Most companies try to achieve compliance through the use of a website accessibility service provider. Below are links to ADA & Accessibility website compliance resources that are provided by the Agents' Council on Technology (ACT) and IIABA's legal department.

[ACT's ADA & Accessibility Resource Page](#)

- What is ADA Accessibility for your website
- What's the risk of not being compliant?
- Solutions
- U.S. Based Sources (list of service providers)
- Accessibility Tools
- Educational Resources

[IIABA's Legal Advocacy FAQ on websites and the ADA](#)

Title III of the Americans with Disabilities Act of 1990 (ADA) requires any private entity that owns, leases or operates a place of public accommodation" to provide accessibility for disabled individuals. Although the ADA does not expressly address the internet, which barely existed at the time of its enactment, most courts have recognized that its protections apply to websites. In 2018 alone, plaintiffs filed more than a thousand ADA website accessibility lawsuits against a variety of businesses.

Find answers to:

1. Do ADA website accessibility requirements apply to insurance agencies?
2. Does the ADA apply even if my business does not sell anything on its website?

3. How do companies ensure their websites are ADA compliant?
4. Is my website compliant if I hired a vendor to develop it?
5. Other Considerations Vendors, Liability Coverage and State Laws
6. How important is it to make my website accessible?

Recent article about this trend

Special software can help the blind access the internet, but not every website supports it. A wave of lawsuits is pushing to change that.

Article Source: Chicago Tribune

ACTION: Review ACT's resource page on [ADA compliancy](#). Consider some of the cost-effective tools available to make your site more accessible to a variety of people who are unable to access your site due to a permanent disability.

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