New Federal Rule Requires Municipal Website and Mobile App Accessibility (Updated)

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The U.S. Department of Justice published its final rule updating regulations for Title II of the Americans with Disabilities Act (ADA). Title II requires state and local governments to make sure that their services, programs, and activities are accessible to people with disabilities. It applies to all services, programs, or activities that state and local governments offer online and through mobile apps, such as payment and parking apps to zoning regulations and maps. When websites and mobile apps are not accessible, they can create access barriers for people with disabilities. A **Fact Sheet** summarizing the rule is available on ADA.gov.

Who Must Follow This Rule?

Like the rest of Title II, the rule applies to all state and local governments as well as special purpose districts, Amtrak, and other commuter authorities. State and local governments that contract with other entities to provide public services for them (like non-profit organizations that run drug treatment programs on behalf of a state agency) also must make sure that their contractors follow Title II.

Highlights of the Rule's Requirements

The rule's requirements for making web content and mobile apps accessible are highlighted below. The full rule explains these requirements in more detail. The Department of Justice also published a **Fact Sheet** on the Final Rule and **A Small Entity Compliance Guide**.

The technical standard for state and local governments' web content and mobile apps is Web Content Accessibility Guidelines (WCAG) 2.1, Level AA.

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WCAG does not outline specific actions that every website must take, rather it states what accessible websites should do. Level AA conformance means the Web page satisfies all the Level A and Level AA Success Criteria for the guideline, or a Level AA conforming alternate version is provided.

Web content and mobile apps usually need to meet the technical standard.

The rule applies to web content that a state or local government provides or makes available. This includes when the government has an arrangement with someone else who provides or makes available web content for them.

There are exceptions for meeting the standard.

A summary of the exceptions is below. The first four exceptions have criteria that must be met to qualify for the exception.

- Archived web content.
- Preexisting conventional electronic documents.
- Content posted by a third party. (Think public comments, not hiring someone for posting.)
- Individualized, password-protected electronic documents.
- Preexisting social media posts.

There are several other exceptions. State and local governments have a burden of proof to use them. It's unlikely Vermont municipalities would pursue them.

Compliance Dates

As of April 17, 2026, the DOJ extended the compliance dates by one year. See US DOJ Extends Deadline for Compliance with Web Accessibility Rule by One Year | Vermont

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Public entities with populations under 50,000	April 24, ~~2027~~ 2028
Special district governments	April 24, ~~2027~~ 2028
Public entities with populations of 50,000 or more	April 24, ~~2026~~ 2027

If the governmental entity serves multiple communities, it must total the population of all the communities. This means a police department that has contracts to serve other municipalities might have an earlier compliance date than its municipality.

To Learn More, Contact ...

If you have questions about this rule or the ADA, you can call the Department of Justice's ADA Information Line.

Another source of information is the New England ADA Center. It provides ADA technical assistance to businesses, state and local governments, and individuals with disabilities. Phone: 1-800-949-4232 (voice and TTY), 1-617-482-8099 (fax), or ADAinfo@IHCDesign.org.

What Should Municipalities Do Now?

Create policies on how you will make sure that your web content and mobile apps are accessible.

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Policies could identify actions your municipality will take to start complying with the rule and to stay compliant with it in the future. Topics in the policy might include:

- Explain what appointed and elected officials and staff should do to make sure the content they post is accessible.
- Identify a person to coordinate the municipality's effort to comply with the rule and to answer questions from officials and staff.
- Describe how officials and staff will regularly test the municipality's web content and mobile apps for accessibility compliance.
- Explain the steps officials and staff will take if a person with a disability reports that web content or mobile apps are not accessible.
- Explain the steps officials and staff will take if a person with a disability asks them to make accessible content that falls under an exception to the rule.

Create processes for people to make accessibility request and to report accessibility issues.

You can set up processes to make it easy for people to get in touch with your municipality about accessibility issues. Some examples of processes include:

- Providing an email address, accessible link, accessible web page, or other accessible way for people to let your municipality know if there are any accessibility issues with its web content or mobile apps.
- Letting members of the public know, in prominent places on your website, how they can ask your municipality to make content accessible when the content falls within an exception to this rule.

Train your staff and elected and appointed officials to produce documents that are compliant with the standard.

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Most municipal websites are developed by professional designers. Even if the product they deliver complies with the new standard, changes your municipality makes, such as adding new pages and posting documents and pictures, also need to comply for the website to ***stay compliant*** with the standard. Learn about free online training resources in VLCT's Improve Accessibility Toolkit.

VLCT will host an ADA Basics webinar on web accessibility in October 2024. The webinar will discuss the rule and how it applies to municipalities, help you consider how the standard might relate to your website and mobile apps, and strategize with you about actions you can and should take to help ensure you meet the compliance deadline.

Ask your website or app vendor whether your current product met a WACG standard/guideline when it was new, and if so, what standard/guideline.

Most websites and mobile apps aren't designed to meet any WACG guideline unless the customer requests it. The municipality, not the product designer, is held accountable for ADA compliance.

Add the technical standard to your Request for Proposal requirements for new websites and mobile apps.

Ask vendors whether they will provide an Accessibility Conformance Report (ACR), such as a VPAT® (Voluntary Product Accessibility Template) and ask them to demonstrate or talk about accessibility features. An ACR is a document that explains how information and communication technology (ICT) products such as software, hardware, electronic content, and support documentation meet a requested standard. The vendor must have tested their product against the required standard to complete an ACR.

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Ask residents who have disabilities about challenges they have with your website or mobile apps.

Their experiences can help you prioritize fixes. A major challenge for most websites is the inability to use a screen reader with the site.

Assess your current website's compliance with the new DOJ standard.

Use No-Cost Tools: Use free tools to get you started or hire a professional to conduct a WCAG audit. The World Wide Web Consortium (W3C) maintains an extensive list of web accessibility evaluation tools(opens in a new tab). Recruit volunteers to use the tool on your website. This might be a great way to engage tech-savvy individuals who want to increase their skills. Automated tools detect approximately 30 percent (~30%) of WCAG issues.

Use For-Fee Services: If you hire a professional to conduct a WCAG audit, ask for the auditor's accessibility credentials and sample reporting. You want an in-depth WCAG audit report that identifies what and where WCAG violations are ***and how to fix them*** . Use professional quotes to determine what is more cost effective: auditing and fixing your website or building a new website. Web research suggests the price of a manual audit varies depending on the complexity of the website. You might start by auditing and fixing key pages first, such as the home page and frequently accessed pages.

Nearly one in four Vermonters have a documented disability (Vermont Dept. of Health, 2019(opens in a new tab)). This could mean that one quarter of your residents need extra help in successfully participating in civic life. There are many things you can do to make municipal services easier for people with disabilities to access. Committing to web accessibility isn't just the law: it affirms your commitment to diversity, equity, and inclusion.

Note: This article was adapted from a **Fact Sheet** on the Final Rule and **A Small Entity Compliance Guide** published by the Department of Justice on ADA.gov. **ADA.gov**

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includes a wealth of information and resources to help people with disabilities, state and local governments, and businesses find answers to common questions and common legal documents so they can understand their rights and responsibilities under the ADA.

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