

CEP Magazine – August 2022

Do ADA accessibility requirements apply to your business website?

By Ashley L. Hanke, Esq.

Ashley L. Hanke (ashley@malkin.law) is an attorney at Malkin Law PA, a law firm based in Miami, Florida, USA, serving the alcohol beverage industry.

Nothing in this article is intended to be and should not be construed as specific legal advice.

The Americans with Disabilities Act (ADA) is a civil rights law that prohibits discrimination against individuals with disabilities in a variety of areas, including transportation, employment, and public accommodations.^[1] The purpose of the ADA is to ensure that people with disabilities have the same rights and opportunities as everyone else.

With the rise of technology, the number of ADA website accessibility lawsuits has increased substantially, and it is only expected to keep climbing as reliance on the use of the internet to conduct business grows. As more businesses receive demand letters from individuals with disabilities due to alleged website inaccessibility, it is important to determine whether your business could be subject to an ADA lawsuit for noncompliance with website accessibility requirements. For me, an alcohol beverage attorney counseling importers, breweries, wineries, distilleries, and alcohol beverage brand owners, ADA website accessibility has become a hot topic, given that my clients, some of which have personally received demand letters, offer goods to the public both online and in person—sparking confusion among many who thought that the ADA did not include businesses that offer goods and services exclusively online.

When it comes to website compliance, many businesses are unclear as to whether the ADA's accessibility requirements apply to their particular business model, since the act is often associated with physical brick-and-mortar business locations and tangible accommodations, such as wheelchair accessibility, adding elevators or stairlifts to a physical structure, or the use of braille. However, in some instances, the ADA also extends to the digital world, requiring some businesses to ensure website content is accessible to all users.



Ashley L. Hanke

This document is only available to members. Please [log in](#) or [become a member](#).

[Become a Member Login](#)