

CHAPTER 346
FORMERLY
HOUSE BILL NO. 237
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO EQUAL ACCOMMODATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 4502, Title 6 of the Delaware Code by inserting the following new subsection (1) and numbering the remaining subsections accordingly:

“(1) ‘Automatic Door’ shall mean a door equipped with a power-operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins the automatic cycle may be a photoelectric device, floor mat, or manual switch.”

Section 2. Amend § 4504, Title 6 of the Delaware Code by inserting a new paragraph (d) into said Section to read as follows:

“(d). Requirements for Newly Constructed Places of Public Accommodation. All buildings which are constructed after January 1, 2011, and intended for use as places of public accommodation (as defined in § 4502 of this chapter), must be equipped with an automatic door or calling device at each entrance that is intended to be a main entrance accessible by members of the general public. For purposes of this subsection, a calling device shall mean any device that allows a person with a disability to request assistance with entry meeting the following minimum specifications:

- (1) the device must provide a recognizable signal inside the place of public accommodation;
- (2) the device must be capable of being operated using only one hand or limb;
- (3) the device must have at least one sign next to it which identifies the device and how to use it; and
- (4) the device must be capable of being operated in accordance with all requirements of the Americans with Disabilities Act Accessibility Guidelines.”

Section 3. Effective Date. This bill shall become effective on January 1, 2011.

Section 4. Amend §4504, Title 6 of the Delaware Code by adding a new subsection “(e)” thereto as follows:

“(e) Nothing in this section shall be interpreted as an abrogation of any requirements otherwise imposed by applicable federal or State laws or regulations.”.

Approved July 09, 2010