

Americans with Disabilities Act Transition Plan

**Washington State Department of Licensing
April 2024**



Americans with Disabilities Act (ADA)

The Washington State Department of Licensing (DOL) is committed to providing equal access to its programs, services, and facilities for persons with disabilities. This document may be made available in an alternate format by emailing the DOL ADA Compliance Manager at ada@dol.wa.gov or by calling 360-902-3900. Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

Title VI Notice to the Public

The following notice is provided on our website and at all DOL public facilities:

Your rights are important to us. Washington State Department of Licensing complies with all applicable laws, regulations, and executive orders regarding non-discrimination. We will not deny or exclude any person from any program, activity, or facility based on race, color, national origin, sex, age, disability, low-income, or limited English proficiency. We provide free language services to people whose primary language is not English, including interpreters and information written in other languages.

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1. Introduction and Overview

The Washington State Department of Licensing (DOL) plays a vital role in providing equitable access for persons with disabilities. The DOL's ADA Transition Plan ("Plan") is written in accordance with 28 CFR §35.150(d), federal law developed from Title II of the Americans with Disabilities Act (ADA). This Plan is a living document that provides details on DOL's commitment to equitable access to all customers for our programs, services, and facilities.

This document addresses ways DOL plans to remove barriers and make our programs, services, and facilities more accessible. This Plan also applies to all contractors who provide licensing or testing services on behalf of the Department, including vehicle licensing offices (agents and subagents), driver training schools, Commercial Driver License (CDL) testers, and professional licensing testing vendors.

The Department actively engages in community partnerships where persons with disabilities and their advocates provide input and guidance regarding DOL's accessibility in programs, services, and facilities.

1.1 ADA Transition Plan Purpose

The DOL is required to comply with Title II the Americans with Disabilities Act (ADA) of 1990 and Sections 504 and 508 of the Rehabilitation Act of 1973 to provide equitable access for all persons who use DOL programs, services, and facilities.

The Department of Licensing's goal in implementing this Plan is to provide information and receive feedback on customers' accessibility and usability of our programs, services, and facilities. Title II of the ADA states that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

The U.S. Department of Justice's (DOJ) regulations requires government agencies to perform a self-evaluation of their services, programs, policies, and practices, and identify barriers that may limit accessibility for people with disabilities. As part of this self-evaluation, agencies must develop transition plans describing how they will address identified barriers. The regulations also require government agencies to provide an opportunity for people with disabilities and other interested individuals or organizations to review and comment on the self-evaluation and overall Plan.

1.2 ADA Transition Plan Management

DOL's ADA Transition Plan is a living document that is continually reviewed and updated. Feedback and self-evaluation will be included in Section 4. The agency's ADA Compliance Manager is responsible for writing, updating, and monitoring the overall progress of this Plan.

2. ADA Program Information

The Washington DOL is committed to meeting ADA requirements in our programs, services, and facilities. The ADA Compliance Manager monitors our agency's compliance with the administrative responsibilities of Title II of the ADA.

2.1 ADA Compliance Manager

The ADA Compliance Manager is responsible for coordinating the efforts of the DOL to comply with Title II of the ADA and investigating complaints regarding a customer's ability to access and use our programs, services, or facilities.

Contact Information:

Larry Watkinson
ADA Compliance Manager
Equity and Inclusion Office
Washington Department of Licensing
ada@dol.wa.gov
360-902-3900

The ADA Compliance Manager also serves as the agency's ADA Coordinator as required by Title II of the ADA. The ADA Compliance Manager serves as the central reference point for all external ADA matters within the agency. The ADA Compliance Manager serves as the liaison and consultant to the agency's program areas to assist with compliance with the ADA for agency customers.

The ADA Compliance Manager contributes to the development of agency-wide employee training regarding providing equal access to our customers and has full input regarding the content. The ADA Compliance Manager also assists in developing and implementing agency ADA policies and procedures regarding customer usability and access. The program areas consult with the ADA Compliance Manager for external ADA matters or issues. The ADA Compliance Manager assists program area staff on complex, non-routine customer accommodation requests.

2.2 Public Notice Requirements

The ADA requires state and local governments to post a public notice about DOL's responsibility and the rights of our customers under the ADA. The DOL provides this notice on our [website](#), public meeting notices, and other printed materials, including correspondence, to customers.

The Department of Licensing also displays notices of our commitment to non-discrimination in services and access in our publicly-accessible facilities, based on Title VI of the Civil Rights Act, on our [website](#). This notice includes language access resources, contact information for the Civil Rights Compliance Coordinator, and information on how to file a discrimination complaint.

The DOL website was recently updated with a newly designed human-centered look and feel. Our office is working with the website improvement project team to update the Civil Rights, [Accessibility](#), and Language Access pages to improve ease of access to information and services for persons with disabilities, people with limited English proficiency, and customers who feel they have been discriminated against. Contact information for both the ADA Compliance Manager and the Civil Rights Compliance Coordinator are provided on the website.

2.3 Public Involvement

In 2023, the Department of Licensing adopted a new [Strategic Plan](#) that places equity and inclusion among the agency's top goals. The ADA Compliance Manager is part of the agency's Equity and Inclusion Office which conducts specific community outreach and engagement with the disability community and partners. The Equity and Inclusion Office also partners with the agency's Community Outreach team, the Customer Relations "DOL2GO" team, and the Pro-Equity and Anti-Racism (PEAR) team to receive feedback from customers and community partners regarding difficulties accessing our services or facilities.

2.4 ADA Complaint Process

Accessibility complaints are accepted in a number of ways, including the DOL ADA mailbox (ada@dol.wa.gov), the DOL Civil Rights Discrimination Complaint mailbox (CivilRtsCoord@dol.wa.gov) and by phone at 360-902-3900.

Customer complaints regarding accessibility are addressed through an informal resolution process to provide timely and barrier-free services. The ADA Compliance Manager works with program area management on resolutions that provide customers equal access to our programs, services, and facilities.

DOL's ADA complaint process procedures are being developed along with an updated ADA policy.

3. ADA Compliance

The Department of Licensing is comprised of divisions and program areas that have specific duties and responsibilities to provide driver, vehicle, and professional licensing services to the residents of Washington state. Our agency also collects fuel tax revenue for the state. Each of these program areas have responsibilities under the ADA.

3.1 Communications

Section 35.160(a) of the ADA requires government agencies to provide effective communication for members of the public with disabilities to ensure equitable access to the agency's programs, services, and facilities. Washington state agencies must also comply with the state's Office of Chief Information Officer (OCIO) [Web Content Accessibility Guidelines \(WCAG\)](#) for all electronic communications. In addition, [Executive Order 23-02](#) requires state agencies to adopt plain language standards that focus on writing principles, design principles, and accessibility.

The DOL provides alternative ways of receiving our services and documents, including qualified sign language interpreters, documents in other formats, and other ways of making information and communications accessible.

3.1.1. Graphic Communications

The DOL has adopted standards and guidance for graphic communications, which requires ADA notices on all public documents. Agency documents are made available in a plain text format upon request.

DOL's graphic standards include checking for accessibility, font, and color readability. The standards and guidelines also require the use of descriptive text for photos and images used in documents and email communications. DOL's graphic designer uses programs and screen readers to test accessibility.

Vendors or others contracting to create graphics communications for our customers are required to meet the same accessibility standards. The DOL requires language translation vendors to provide translated content in an accessible readable format.

3.1.2 Website Communications

The DOL follows Level AA of the Web Content Accessibility Guidelines (WCAG). The guidelines define the [minimum level of compliance for accessibility](#). The DOL has internal standards for making webpages accessible. The agency's external website is accessible to individuals who use screen readers and other assistive devices, except for Adobe PDF documents. We provide information on our accessibility webpage on how to use PDFs with a screen reader.

We continue to monitor, assess, and update our website to improve accessibility. The agency's web team works closely with the ADA Compliance Manager to test new web components to ensure they meet ADA, WCAG, and 508 standards.

3.1.3 Digital Media Communications

Closed captioning or open captions are required on agency videos. Captioning is reviewed for accuracy, for a 98-percent and above accuracy rate. Vendors or others contracting to create videos for our customers are required to meet the same accessibility standards.

3.1.4 Written Correspondence

The DOL's Correspondence Standards provides electronic templates for agency letters and memos sent to customers. The templates include the following footer:

*We are committed to providing equal access to our services.
For information, visit dol.wa.gov/access. (TDD/TTY call 711).*

This statement is currently being rewritten as part of the agency's new strategic initiatives.

While the Correspondence Standards provides guidelines for email correspondence, it does not include information related to accessibility considerations such as avoiding imbedded images, tables, and other elements that are not readable to assistive devices.

3.1.5 Agency Forms

DOL's Forms team focuses on accessibility and user-centered design for all customer forms. The needs of limited English proficiency users as well as users with visual, physical, or cognitive disabilities are considered when designing agency forms.

The Forms team is currently working to identify the agency's external forms that are still active out of 450 forms published. The new DOL Form Usability and Accessibility Standards Guide is anticipated to be completed in early 2024.

Forms are reviewed for accessibility for use with screen readers, correct tabbing order for form fields, graphics descriptions, and color and font readability.

3.2 Customer Service Accommodations

The DOL provides services to our customers across the various divisions in the following areas:

- Phone calls
- Email correspondence
- Driver licensing service offices
- Vehicle licensing offices (contracted agents and subagents)
- Driver training schools (contracted businesses to conduct drive knowledge and skills exams)
- Commercial driver license testing (DOL employees and contracted third party testers)
- Professional licensing exams (contracted vendors)

Every DOL employee and contractor who provides services to our customers must comply with Title II of the ADA and Sections 504 and 508 of the Rehabilitation Act to provide equal access for all persons who use DOL programs, services, and facilities.

The agency will make reasonable modifications to policies and procedures to accommodate a customer with a disability, so long as it does not create a conflict with state or federal laws. Customer requests for accommodation are handled directly by the program area staff. Common examples of requests handled by the program areas include providing a minimum distraction environment for a knowledge test, headphones or audio-assistive devices for knowledge tests, service at a lowered counter, or requests

for an American Sign Language interpreter. For more complex requests, program area staff work with the ADA Compliance Manager.

3.3 Facilities

Federal regulations require government agencies to ensure all public-facing facilities comply with the ADA Title II requirements. As part of the self-evaluation of ADA compliance is a comprehensive review of the facilities and must:

- Identify any facilities or features in a facility that do not comply with Title II requirements.
- Identify a plan to modify features to bring the facilities into compliance.

DOL's Facilities Planning team works with the Office of Financial Management (OFM), Department of Enterprise Services (DES), and local building departments to develop employee and customer spaces that meet the ADA requirements for individuals with disabilities. The Facilities team conducts multiple reviews of buildings and interiors to ensure accommodations also meet the ADA's Standards for Accessible Design for newly constructed or altered facilities that are open to the public.

Periodic reviews of each DOL facility are also conducted through the lease renewal process, and at key points throughout the year. ADA compliance issues are addressed promptly through review by the Facilities team and rectified if needed. The Facilities team also works with leased building landlords, in collaboration with DES, to confirm that maintenance always includes ADA regulation compliance.

3.4 Training

The DOL provides training to all employees on the requirements of Title II of the ADA and Sections 504 and 508 of the Rehabilitation Act. The training is provided as part of new employee training and refresher training is provided every two years, or at the request of division leadership. The training material is currently provided in conjunction with training on Title VI of the Civil Rights Act's non-discrimination in programs, services, and facilities.

As part of our continuous improvement review, the training is currently being revised, along with the policy, and will become a separate module from the Civil Rights training.

The DOL does not currently provide training to contractors who provide licensing and testing services on behalf of the Department. We will look at ways we can provide a training curriculum for our contractors as part of their contract renewal process.

3.5 Service Contractors

The DOL contracts with private businesses to provide licensing and testing services on behalf of the Department. All contractors who provide DOL licensing services are required to comply with Title II of the ADA, which includes equal access to programs, services, and facilities. Contractors are also required to provide reasonable accommodation to meet these requirements, as requested by DOL customers.

3.5.1 Vehicle and vessel licensing services

The DOL contracts with county auditors to conduct vehicle and vessel licensing services. The county auditors then contract with private businesses, called subagents, to provide these same services.

Contracts include language for compliance with Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. Complaints are investigated and any violation of the ADA is grounds for termination of the contract.

3.5.2 Driver license written and skills testing.

Private driver training schools conduct written and skills testing on behalf of the Department. Contracts require Driver Training Schools to fully adhere to:

- a) State laws and rules (RCWs and WACs) pertaining to the administration of driver skills examinations.
- b) All Title II, Title III, and Title VI requirements detailed in the contract's Equal and Equitable Access Supplement.

Driver training schools can offer accommodation for the knowledge test, such as oral interpretation or providing an interpreter upon customer request. If they are unable to provide the interpretation, schools refer the customer to the nearest DOL driver licensing office. For the skills exam, schools must refer a student with a disability to the nearest driver licensing office, per [RCW 46.20.041](#).

Complaints regarding accessibility or accommodation by a driver training school are investigated by the DOL Driver Training Schools program area, in collaboration with the ADA Compliance Manager, for compliance with contract terms.

3.5.3 Commercial driver license endorsement testing

Contracts require third party commercial driver license (CDL) testers to comply with all state and federal laws and licensing requirements, including the Americans with Disabilities Act, and civil rights and non-discrimination laws.

Accommodations for persons with disabilities for CDL licensing are limited and guided by the U.S. Department of Transportation rules and regulations.

3.5.4 Professional licensing testing services

Contracts with professional licensing testing vendors (for licenses such as Cosmetology and Real Estate licenses) requires compliance with all federal and state laws, regulations, and policies, including nondiscrimination laws and the Americans with Disabilities Act.

4. Self-Evaluation

Title II of the ADA requires a self-evaluation of the agency's accessibility issues and barriers to its programs, services, and facilities. The self-evaluation should include public feedback, a review of the agency's policies and procedures, a survey of facilities to identify any physical barriers, and determining if employees are familiar with the agency's ADA obligations and how to arrange for accommodations for customers.

The agency uses the checklist provided by the ADA as one tool for completing the annual self-evaluation.

After conducting a self-evaluation, DOL will update this Plan to include public feedback and any structural or process changes, modification to policies and procedures, and additional training for employees or contractors.