

## Website Accessibility under the ADA

September 1, 2021

### Our Websites

**Team Velocity™** develops and manages primary websites and private consumer portals for our automotive dealership clients, which we market as **Apollo® Sites**. **Tier10®** develops and manages websites for its clients in automotive and other industries.

### The ADA Legal Framework

The American with Disabilities Act (*ADA*) requires that publicly available websites be accessible to individuals with vision, hearing, physical and other disabilities. Although there is not yet a definitive legal standard as to what constitutes ADA compliance, there are industry best practices, the leading one of which is the Web Content Accessibility Guidelines (*WCAG*).

### Our ADA Product Solutions

To better ensure our websites meet ADA requirements, we have partnered with **AccessiBe**, the leading web-accessibility technology. **AccessiBe's** AI-powered platform monitors and adjusts sites to ensure compliance with the ADA and WCAG 2.1 Guidelines, while also offering user interface tools to enable consumers to adjust the website to accommodate their particular needs. Indeed, the **AccessiBe** solution has proven highly effective in increasing accessibility and in deterring ADA lawsuits. Accordingly, because legal action against business websites continues to increase, we require our clients who wish to take advantage of our commitment to provide ADA compliant websites to install **AccessiBe**; by doing so, you agree to comply with their terms and conditions available at <https://accessibe.com/terms-of-service>.

### Our Contractual Commitment

In our client services agreements, we contractually commit to comply with all applicable laws and regulations, including the ADA. If you are a client of ours, you may review these commitments in our Terms & Conditions, which are either attached to your agreement or available online via a link that is included in the agreement.

### Client Obligations

The client is ultimately responsible for ensuring that it and its vendors comply with laws and regulatory requirements. Here are some steps you might consider taking:

- Install the **AccessiBe** solution.
- Review your logos and color schemes to make sure they are easily visible and computer readable.
- Review your video library (on YouTube, Facebook, etc.) to determine if your videos include sufficient audio or text descriptions.
- Ask your outside vendors about their ADA compliance efforts and review their work product.
- Keep current on regulatory requirements and industry best practices.
- Consult your legal counsel about your obligations under the ADA and other regulations.

*This document is for information purposes only and is not intended as legal advice. Clients should consult with their own legal advisors to determine their ADA and other regulatory compliance requirements.*