

Reasonable Modification Policy

In accordance with Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, it is the policy of the Port Authority of New York & New Jersey (the "Port Authority") to provide individuals with disabilities with a reasonable modification to its policies, practices, and procedures to ensure access to Port Authority programs, facilities, and activities.

Requesting a Reasonable Modification

A reasonable modification is a change or exception to a policy, practice, or procedure that allows people with disabilities to have equal access to programs, services, and activities. Reasonable modifications must always be related to the individual's specific limitation caused by the disability. When requesting a reasonable modification to a Port Authority program or service, an individual with a disability is not required to provide medical documentation or a diagnosis to justify their request, but they must be able to explain how their disability is related to the requested modification.

The Port Authority considers all requests for reasonable modifications of its policies, practices or procedures when necessary to avoid discrimination on the basis of disability. The Port Authority is not required to grant requests for reasonable modifications that would fundamentally alter the nature of the Port Authority's services, programs or activities. Due to the fact-specific nature of requests, individual decisions and one-time modifications are not precedential. If a modification is determined later to be unnecessary for the requesting individual to use a requested service, a fundamental alteration, or unsafe for other person(s) or property, the Port Authority may discontinue or change the modification.

How to Make a Request for Reasonable Modification

1. Whenever possible, individuals should make such requests for modifications before the Port Authority is expected to provide the modification. A customer requesting a reasonable modification must describe the modification requested and basis for the modification (i.e., how your disability is related to the requested modification). The requestor is not required to use the term "reasonable modification" when making a request. Designated staff will make a determination and communicate the same to the customer within one (1) to fifteen (15) business days from the date of request. Advance requests may be made as follows:
 - a. Requests may be submitted by email to ADA@PANYNJ.GOV
 - b. Requests may be made by phone at 201-395-3225.
2. When a request for modification cannot be practicably made and determined in advance (i.e. because of a condition or barrier which the individual with a disability was unaware until arriving), the operating personnel will make a timely determination so long as their actions do not result in a direct threat to the health

and safety of others or fundamental alteration. It is important to note that the Port Authority may be limited in its ability to accommodate immediate or same day requests.

3. If the modification is not approved, the Port Authority will provide the basis for denial. Modification requests may be denied on the following grounds:
 - a. modification would fundamentally alter the nature of the Port Authority's service, programs, or activities;
 - b. modification could create a direct threat to the health or safety of the requestor or others;
 - c. modification would create an undue financial or administrative burden for the Port Authority; or
 - d. the individual with a disability is fully able to access the Port Authority's services, programs, or activities without the modification.
4. The Port Authority reserves the right not to respond to the same general request from the same individual more than once. The "same general request" is one that does not differ significantly from a previous request, and that would generate the same Port Authority response.