



Rural Labor & Economic Development Corporation

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723 East Route 66 Boulevard, Tucumcari, New Mexico 88401 · rledc.org

28 CFR § 35.200

Requirements for web and mobile accessibility

Title 28 — Judicial Administration · **Chapter I** — Department of Justice · **Part 35** — Nondiscrimination on the Basis of Disability in State and Local Government Services · **Subpart H** — Web and Mobile Accessibility

Source: AG Order No. 5919-2024, 89 FR 31337, Apr. 24, 2024, unless otherwise noted. Subpart source: Order No. 1512-91, 56 FR 35716, July 26, 1991, unless otherwise noted.

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510; 42 U.S.C. 12134, 12131, and 12205a.

Currency: Text as in effect July 23, 2026.

Text of the Regulation

§ 35.200 Requirements for web and mobile accessibility.

(a) General. A public entity shall ensure that the following are readily accessible to and usable by individuals with disabilities:

- (1) Web content that a public entity provides or makes available, directly or through contractual, licensing, or other arrangements; and
- (2) Mobile apps that a public entity provides or makes available, directly or through contractual, licensing, or other arrangements.

(b) Requirements.

(1) Beginning April 26, 2027, a public entity, other than a special district government, with a total population of 50,000 or more shall ensure that the web content and mobile apps that the public entity provides or makes available, directly or through contractual, licensing, or other arrangements, comply with Level A and Level AA success criteria and conformance requirements specified in WCAG 2.1, unless the public entity can demonstrate that compliance with this section would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens.

(2) Beginning April 26, 2028, a public entity with a total population of less than 50,000 or any public entity that is a special district government shall ensure that the web content and mobile apps that the public entity provides or makes available, directly or through contractual, licensing, or other arrangements, comply with Level A and Level AA success criteria and conformance requirements specified in WCAG 2.1, unless the public entity can demonstrate that compliance with this section would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens.

(3) WCAG 2.1 is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. All material approved for incorporation by reference is available for inspection at the U.S. Department of Justice and at the National Archives and Records Administration (“NARA”). Contact the U.S. Department of Justice at: Disability Rights Section, Civil Rights Division, U.S. Department of Justice, 150 M St. NE, 9th Floor, Washington, DC 20002; ADA Information Line: (800) 514-0301 (voice) or 1-833-610-1264 (TTY); website: www.ada.gov. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations.html or email fr.inspection@nara.gov. The material may be obtained from the World Wide Web Consortium (“W3C”) Web Accessibility Initiative (“WAI”), 401 Edgewater Place, Suite 600, Wakefield, MA 01880; phone: (339) 273-2711; email: contact@w3.org.

[AG Order No. 5919-2024, 89 FR 31337, Apr. 24, 2024, as amended by AG Order No. 6742-2026, 91 FR 20912, Apr. 20, 2026]

Compliance Deadlines

Entity	Deadline	Standard
Public entity, other than a special district government, with total population of 50,000 or more	April 26, 2027	WCAG 2.1 Level A and Level AA
Public entity with total population of less than 50,000, and any public entity that is a special district government	April 26, 2028	WCAG 2.1 Level A and Level AA

What this means in Eastern New Mexico. No county or municipality in the seven-county Eastern Plains region has a total population of 50,000 or more, and school districts, water districts, soil and water conservation districts, hospital districts, and similar bodies are special district governments. The operative deadline for essentially every public entity in the region is therefore **April 26, 2028**. The rule reaches not only a public entity’s own website but web content and mobile apps it makes available “through contractual, licensing, or other arrangements” — which includes vendor-hosted portals for payments, permits, agendas, job applications, and public records.

The exception is narrow. Relief is available only where the entity can demonstrate a fundamental alteration or undue financial and administrative burdens. That is a demonstration the entity must make and document; it is not a status an entity simply asserts, and cost alone is measured against all resources available to the entity, not the website budget.

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RLEDc provides ADA web accessibility audit, remediation planning, and implementation support to public entities and nonprofit organizations across the seven-county Eastern Plains region of New Mexico. This document is informational and is not legal advice.

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