

118TH CONGRESS
2D SESSION

H. R. 10560

To promote the provision of exercise machines and equipment, and exercise and fitness classes and instruction, that are accessible to individuals with disabilities.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 24, 2024

Mr. DESAULNIER introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To promote the provision of exercise machines and equipment, and exercise and fitness classes and instruction, that are accessible to individuals with disabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Exercise and Fitness
5 for All Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Individuals with disabilities can maintain
2 and improve their health through appropriate phys-
3 ical activity.

4 (2) According to a 2023 meta-analysis pub-
5 lished in the International Journal of Environmental
6 Research and Public Health, physical exercise pro-
7 grams reduced depressive symptoms in adults with
8 both intellectual and physical disabilities, while other
9 data shows that adults with disabilities report experi-
10 encing mental distress approximately five times as
11 often as adults without disabilities.

12 (3) In the 2018 Physical Activity Guidelines for
13 Americans (referred to in this section as the “Guide-
14 lines”), the Department of Health and Human Serv-
15 ices recommends that individuals with disabilities,
16 who are able, participate in regular aerobic activity.

17 (4) The Guidelines also recommend that adults
18 with disabilities, who are able, do muscle strength-
19 ening activities of moderate or high intensity on two
20 or more days a week, as these activities provide ad-
21 ditional health benefits.

22 (5) The Guidelines recommend that when
23 adults with disabilities are not able to meet the
24 Guidelines, they should engage in regular physical

1 activity according to their abilities and avoid inac-
2 tivity.

3 (6) According to a study published in the Dis-
4 ability and Health Journal in 2020, approximately
5 60 percent of disabled adults with mobility chal-
6 lenges reported performing no aerobic activity, and
7 those who do not perform aerobic activity are more
8 likely than their physically active counterparts to re-
9 port at least one of four chronic conditions (heart
10 disease, stroke, diabetes, or cancer).

11 (7) Many individuals with disabilities are unable
12 to engage in the exercises or fitness activities rec-
13 ommended in the Guidelines, as a study published in
14 the American Journal of Preventive Medicine in
15 2004 identified 178 barriers to physical activity par-
16 ticipation among persons with disabilities, including
17 barriers related to the built and natural environ-
18 ment, economic challenges, barriers in access to
19 equipment, and barriers related to interpretation of
20 regulations and laws, among other challenges.

21 (8) The failure to provide accessible exercise
22 machines and equipment, as well as accessible exer-
23 cise and fitness classes and instruction, prevents
24 people with disabilities from being full participants
25 in their communities.

1 (b) PURPOSE.—The purpose of this Act is—

2 (1) to carry out the objectives of the Americans
3 with Disabilities Act of 1990 (referred to in this sec-
4 tion as the “ADA”), including providing “a clear
5 and comprehensive national mandate for the elimi-
6 nation of discrimination” and “clear, strong, con-
7 sistent, enforceable standards addressing discrimina-
8 tion”; and

9 (2) specifically, to carry out those objectives by
10 issuing guidelines and regulations for exercise or fit-
11 ness service providers specifying the accessible exer-
12 cise machines and equipment, and the accessible ex-
13 ercise or fitness classes and instruction, necessary to
14 ensure that individuals with disabilities can—

15 (A) obtain the benefits of physical activity;

16 and

17 (B) fully participate in the services offered
18 by exercise or fitness service providers.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) ACCESS BOARD.—The term “Access Board”
22 means the Architectural and Transportation Bar-
23 riers Compliance Board established under section
24 502 of the Rehabilitation Act of 1973 (29 U.S.C.
25 792).

1 (2) EXERCISE MACHINES AND EQUIPMENT.—

2 The term “exercise machines and equipment” means
3 devices such as motorized treadmills, stair climbers
4 or step machines, stationary bicycles, rowing ma-
5 chines, weight machines, circuit training equipment,
6 cardiovascular equipment, strength equipment, or
7 other similar equipment.

8 (3) EXERCISE OR FITNESS SERVICE PRO-
9 VIDER.—The term “exercise or fitness service pro-
10 vider”—

11 (A) means an entity that—

12 (i) provides exercise machines and
13 equipment, or exercise or fitness classes or
14 instruction, for the use of patrons; and

15 (ii) is considered a public entity under
16 section 201 of the Americans with Disabil-
17 ities Act of 1990 (42 U.S.C. 12131) or is
18 considered a public accommodation under
19 section 301 of such Act (42 U.S.C.
20 12181); and

21 (B) includes a stand-alone exercise or fit-
22 ness center and an exercise or fitness center
23 within an entity such as a hotel, retirement
24 community, gymnasium, elementary or sec-

1 ondary school, or institution of higher edu-
2 cation.

3 (4) INDIVIDUAL WITH A DISABILITY.—The term
4 “individual with a disability” means any person with
5 a disability as defined in section 3 of the Americans
6 with Disabilities Act of 1990 (42 U.S.C. 12102).

7 **SEC. 4. EXERCISE AND FITNESS ACCESSIBILITY GUIDE-**
8 **LINES AND REGULATIONS.**

9 (a) ESTABLISHMENT OF GUIDELINES.—Not later
10 than 18 months after the date of enactment of this Act,
11 the Access Board shall develop and publish guidelines for
12 exercise or fitness service providers regarding the provi-
13 sion of accessible exercise machines and equipment.

14 (b) CONTENTS OF GUIDELINES.—The guidelines de-
15 scribed in subsection (a) shall ensure that—

16 (1) the appropriate number of items and types
17 of accessible exercise machines and equipment are
18 provided by an exercise or fitness service provider;
19 and

20 (2) each accessible exercise machine and equip-
21 ment that has communications features or an inter-
22 face is accessible for disabled individuals through the
23 availability of features such as closed captioning on
24 monitors, audible output of visual content and tactile
25 buttons for people who are blind or have low vision,

1 and visual indications of information conveyed audi-
2 bly.

3 (c) REVIEW AND AMENDMENT.—The Access Board
4 shall periodically review and, as appropriate, amend the
5 guidelines, and shall issue the resulting guidelines as re-
6 vised guidelines.

7 (d) REGULATIONS.—

8 (1) IN GENERAL.—Not later than 18 months
9 after the Access Board issues guidelines under this
10 section, the Attorney General shall issue regulations
11 pursuant to section 302(a) of the Americans with
12 Disabilities Act of 1990 (42 U.S.C. 12182) regard-
13 ing—

14 (A) the provision of accessible exercise ma-
15 chines and equipment; and

16 (B) the accessibility of exercise or fitness
17 classes and instruction.

18 (2) EQUIPMENT.—With respect to the provision
19 of accessible exercise machines and equipment, the
20 regulations issued pursuant to the Americans with
21 Disabilities Act (42 U.S.C. 12101 et seq.) shall be
22 consistent with the Access Board guidelines devel-
23 oped pursuant to subsection (a).

24 (3) EXERCISE OR FITNESS CLASSES AND IN-
25 STRUCTION.—The regulations shall—

1 (A) specify that service providers are re-
2 quired to make reasonable accommodations to
3 ensure that exercise or fitness classes and in-
4 struction are accessible for people with disabil-
5 ities; and

6 (B) ensure that the service provider makes
7 available at least one employee who is able to
8 assist individuals with disabilities in their use of
9 accessible exercise machines and equipment.

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