ADA - Mn/DOT's Experience

January 20, 2011



"We're just building a road, we're not building a church."



Applicable State and Federal Laws

- Minnesota Human Rights Act
- Architectural Barriers Acts of 1968
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990 (ADA) - 5 Titles





Transition Plan

- Required for public entities with more than 50 employees. 28 C.F.R. 35.105(c).
- Must allow input by disabled community
- Identify existing facilities, programs and services that limit access for persons with disabilities.
- Describe methods to be used to make those facilities/programs/services accessible.
- Specify schedule for making non-compliant facilities/programs/services accessible by prioritizing needs of persons with disabilities.
- Identify official responsible for seeing that plan is implemented [ADA Coordinator].



The Cost of Noncompliance

- Can be significant fiscally and in terms of public trust
- Barden v. Sacramento (2004):

Court ruled that public entities must address accessibility barriers to and along sidewalks

- Settlement requires city to spend 20% of its entire transportation budget to make the public right-of-way accessible ... for 30 years
- Penn DOT will reconstruct all curb cuts (117K) at a cost of \$882 million over the next ten years
- City of Chicago was forced to spend \$140 Million over 5 years for ADA Improvements



Pedestrian Facilities Inventory

- This year Mn/DOT inventoried nearly all pedestrian ramps, signals, and crosswalks
 - Roughly 50% are non compliant based solely on running slope and cross slope
- Next year Mn/DOT will be assessing sidewalks
- Inventory will:
 - Determine magnitude of ADA needs \$\$\$\$
 - Help prioritize schedule of upgrades
 - Assist in future Scoping of Projects



Scoping

- Early Discussions with Local Agencies
 - Agreements
 - Future Projects/Comprehensive Pedestrian Plans
- Broaden Project Scope to achieve desired results
 - Focus has been on curb ramps (tech memo)
 - Sidewalks, Driveways, Vertical Discontinuities, Cross Slopes, Condition, Signals
- List Secondary work types in PPMS even if a minimal part of the project

- Sidewalk, Curb and Gutter, Ped/Bike Improvement, Ped/Bike Trail, Ped/Bike Bridge, Pedestrian Ramps, Signals



Tech Memos

- Adoption of Public Right Of Way Accessibility Guidelines (PROWAG)
- ADA requires curb ramp upgrades when altering pavement structure in the pedestrian crossing
- All new signals/signal rebuilds include installation of Accessible Pedestrian Signals (APS)



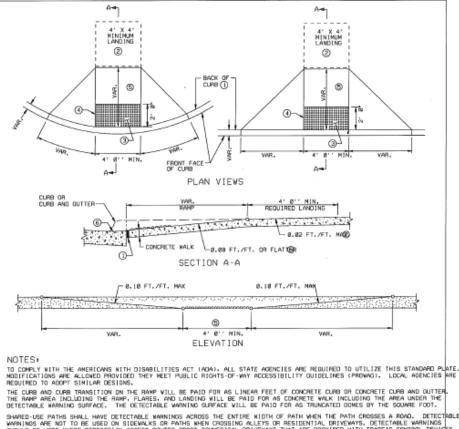
Last season's accomplishments

- Dedicated three engineers to statewide ADA Program
- Curb Ramp Guidelines
 - http://www.dot.state.mn.us/ada/documents/curbramp.pdf
- Performance based Special Provisions
- Dedicated ADA funding \$2.5M/year
- Completed Transition Plan
 - <u>http://www.dot.state.mn.us/ada/documents/transitionfinal.docx</u>
- Revision of Standard Plate 7036, 7038 and 7035



Standard Plate 7036G

- Issued in March 2011
- 4' x 4' minimum landing with maximum 2.0% cross slope in all directions is REQUIRED – not desirable
- Ramp lengths dependant on grades, not dimensions
- Diagonal orientation STRONGLY discouraged



WARNINGS ARE NOT TO BE USED ON SIDEWALKS OR PATHS WHEN CROSSING ALLEYS OR RESIDENTIAL DRIVEWAYS, DETECTABLE WARNINGS SHOULD BE USED WHERE PROSTRIAN ACCESS ADURES CROSS COMMERICAL DRIVEWAYS THAT ARE PROVIDED WITH TRAFFIC CONTROL DEVICES OR OTHERWISE PERMITTED TO DEPRATE LIKE A PUBLIC RADOWAY.

SLOPES ARE DEFINED AS ABSOLUTE ELEVATION DIFFERENCE PER LENGTH OF RUN. (AS OPPOSED TO A RELATIVE SLOPE WITH RESPECT TO A CURB LINE OR CURB HEIGHT.)

NO SIGNAL POLES, SIGN POSTS, CABINETS, OR OTHER OBSTRUCTIONS ARE ALLOWED IN THE RAMP OR PATH OF TRAVEL.

1/2-INCH EXPANSION JOINT. 1/2-INCH PREFORMED JOINT FILLER MATERIAL, AASHTO M 213.

PROVIDE A 4' X 4' MINIMUM LANDING. SEE PLANS FOR PROPOSED RUNNING SLOPE AND CROSS SLOPE, NEITHER OF WHICH MAY EXCEED 0.02 FT./FT. AS CONSTRUCTED.

D PLACE THE DETECTABLE WARNINGS AT THE BACK OF CURB. WHEN'THE DETECTABLE WARNING SYSTEM IS A PRECAST MATERIAL. THE CUBB SMALL BE MAND FORMED TO FILL THE GAP. DETECTABLE WARNING AREA SHALL BE 2' 8" MIN. IN THE DIRECTION PERPENDICULAR TO URADE BHEAK AND SHALL EXTEND THE FULL VIOLATION OF THE CURB RAMP.

WHERE RADIAL WARNING SUFFACES ARE USED OR IN OTHER CIRCUMSTANCES WHERE THE EDGE OF THE WARNING SUFFACE IS NOT PARALLEL TO THE EDGE OF THE CUBB RAMP PATH OF TRAVEL. THE EDGE OF THE DETECTABLE WARNING SUFFACE SHOLLD NEVER DE MORE THAN 3 INCHES FROM THE EDGE OF THE RAMP. DETECTABLE WARNING AREA SHALL CONTRAST VISUALLY WITH THE ADJACENT GUTTER, ROADWAY, OR WALKNAY, EITHER LIGHT ON DARK OR DARK ON LIGHT. CONTRAST AND BE PROVIDED ON THE FLARES, EXCLUDING THE FLARED SIDES.

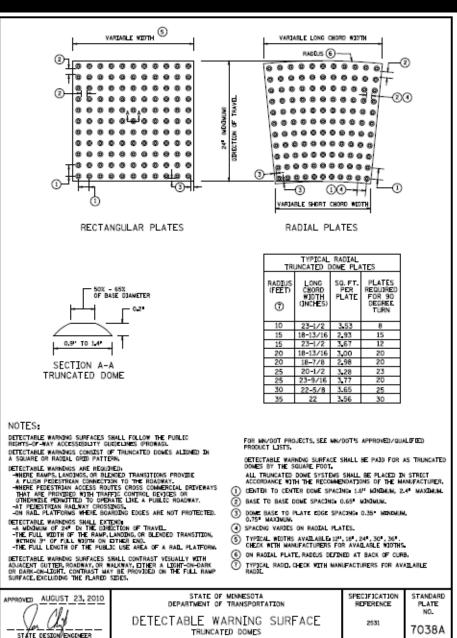
B CROSS SLOPE OF THE RAMP WAY NOT EXCEED 0.02 FT./FT. AS CONSTRUCTED.

) ANY VERTICAL LIP THAT OCCURS AT THE FLOW LINE MAY NOT BE DREATER THAN 1/4 INCH.



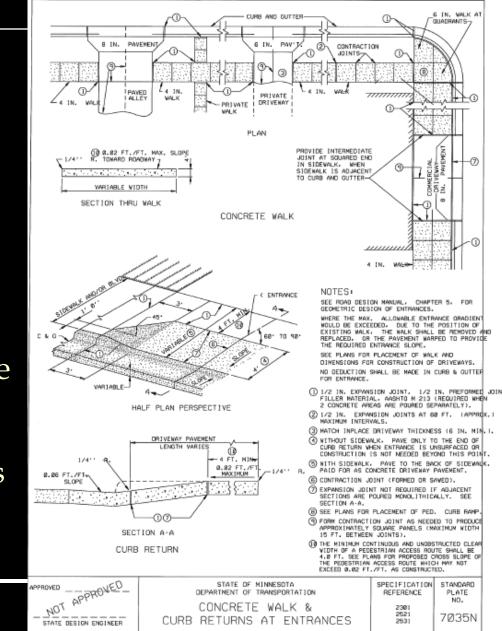
Standard Plate 7038A

- Approved on August 23rd, 2010
- Includes both rectangular and radial detectable warning surfaces
- Radial detectable warnings must accommodate existing radius dimensions to nearest 5' increment



Standard Plate 7035N

- Issued in March 2011
- Maintain a 4' minimum Pedestrian Access Route (PAR)
- 2.0% maximum Cross Slope
- 6" Concrete Walk thickness at quadrants



What we're working on

- Informal Internal Training
- Formal Statewide Training this summer
- Statewide Consistency
- Working with ADA Stakeholder Committee
- TPAR Temporary Pedestrian Access Route
- Project Scoping, Right of Way Issues, Maintenance, Agreements and Partnering
- Standard Plans









Right-of-Way

- If time allows and project includes ROW acquisition, ROW should be acquired if needed to improve pedestrian facilities
- Obtain Commissioner's Orders as needed to extend work limits on all side streets
- If possible, obtain permits to construct with individual property owners
- V-Curb can be utilized to hold adjacent ground while staying within existing ROW



Snow & Ice Removal





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- Need for Contractor training
- In certain situations do the best you can



This elevation must be matched