# **Introduction**

TDOT has received many questions when and where accessible features are required or recommended to be included during the planning, design, construction, and maintenance of roadway projects in facilities. This document is intended to answer some of common question regarding ADA requirements. For more comprehensive information about specific requirements, please consult the 2010 ADA Standards, 2011 PROWAG, and the Departments technical publications.

Link to PROWAG:

<https://www.access-board.gov/prowag/>

Link to ADA Standards for Accessible Design: <https://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm>

Link to TDOT Design Publications:

<https://www.tn.gov/tdot/roadway-design/design-standards.html>

https://www.tn.gov/tdot/roadway-design/design-standards/design-guidelines.html

# **General**

## **Background**

* The Americans with Disabilities Act (ADA, Public Law 101-336) was enacted in July 1990 and became effective in January 1992. The original federal ADA Standards were published in July 1991.
* Based on updated guidelines issued by the U.S. Access Board, the USDOT issued the following updated standards in November 2006: ADA Standards for Transportation Facilities (2006 ADASTF). Transportation projects permitted after November 29, 2006 are required to follow the 2006 ADASTF (link is below).

# **ADA & TDOT**

On November 7, 2014, TDOT adopted the United States Access Board's proposed guidelines for Pedestrian Facilities in the Public Rights of Away (PROWAG) (2011). These guidelines serve as the Public Rights-of Way Accessibility Guidelines, Manual on Uniform Traffic Control Devices for Streets and -Highway (MUTCD) or PROWAG. Wherever pedestrian facilities are intended to be part of a transportation facility, federal regulations (28 CFR part 35) required that those Pedestrian facilities meet ADA guidelines.

**Index**

[**Planning** 3](#_Toc80186399)

[**Transition Plans** 3](#_Toc80186400)

[**New Alignment –Resurfacing – Rehabilitation - Reconstruction** 4](#_Toc80186401)

[**Accessible Pedestrian Signals** 4](#_Toc80186402)

[**Alternate Pedestrian Access Routes** 6](#_Toc80186403)

[**Bus Stops** 6](#_Toc80186404)

[**Curb Ramps** 7](#_Toc80186405)

[**Detectable Warnings** 8](#_Toc80186406)

[**Greenways / Trails** 9](#_Toc80186407)

[**Parking Spaces** 10](#_Toc80186408)

[**Pedestrian Crossing** 10](#_Toc80186409)

[**Pedestrian Facilities** 11](#_Toc80186410)

[**Roundabouts** 11](#_Toc80186411)

[**Sidewalks** 12](#_Toc80186412)

[**Helpful Resources** 12](#_Toc80186415)

[NATIONAL 13](#_Toc80186416)

[STATE 14](#_Toc80186417)

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# **Planning**

**Q: When to consider ADA in planning new transportation projects?**

A: All projects should consider the existing pedestrian facilities and the impacts to these facilities within the project limits and scope. Certain projects such as sidewalk projects will require pedestrian circulation issues to be addressed within project scopes. Resurfacing projects require curb ramps to be made accessible but generally does not address sidewalk and circulation. However, any project that alters pedestrian facilities should be evaluated as alterations trigger ADA.

Alteration is defined as “Any change that affects or could affect pedestrian travel or circulation”. On signal projects, additions to turn lanes may impact crosswalk safety and pedestrian crossing time. Resurfacing alters all crosswalk

Depends, projects should be reviewed and evaluated for existing pedestrian circulation in connectivity within the scope of the project to address and correct identified deficiencies not meeting ADA, PROWAG, and TDOT standards.

**\*Therefore, every new construction or alteration project (i.e., Resurfacing, Rehabilitation, and/or Reconstruction)**

[**https://www.access-board.gov/prowag/chapter-r1-application-and-administration/**](https://www.access-board.gov/prowag/chapter-r1-application-and-administration/)

# **Transition Plans**

**Q: What is the difference between ADA Transition Plan vs. ADA Self-Evaluation?**

A:The transition plan is a comprehensive living document that details all existing municipalities compliance with ADA. I.e., communications, programs, and services, streets and intersections, and buildings and outdoor areas.

ADA self-evaluation is a public entity's assessment of everything, including its programs, services, and activities; facilities; In current policies, practice, and procedures. The self-evaluation identifies and corrects barriers to access that are inconsistent with title two requirements. All public entities should have completed a self-evaluation by January 26, 1993 a public entity that employs 50 or more employees must retain its self-evaluation for three years period other public entities are not required to retain their self-evaluation but are encouraged to do so because these documents support a public entity good faith effort to comply with its title to requirements.  A Self-Evaluations is required part of any completed Transition plan.

Link to State and Local Government Title II Transition Plan: <https://www.ada.gov/ada_title_II.htm>

**Q: When are transition plans updated?**

A: The Transition Plan is a living document therefore it should update periodically until all accessibility barriers are removed. The requirements of the ADA apply to all public entities or agencies, no matter the size. The transition plan formal procedures as outlined in 28 C.F.R. part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services.

**How are transitions plan updated?**

**A**: TDOT requires an ADA Self-Certification form submitted every three years from the date their Transition Plan. This form certifies the progress and updates made to a local agencies ADA program and barriers.

# **New Alignment –Resurfacing – Rehabilitation - Reconstruction**

**\*\*All new construction projects will be constructed to meet current accessibility requirements.**

## **Accessible Pedestrian Signals**

**Q: What is an Accessible Pedestrian Signal (APS)?**

**A:** Accessible Pedestrian Signals (APS) are devises that communicates information about DON’T WALK and WALK intervals at signalized intersections in non-visual vision for example audible tones, and vibrotactile surfaces to pedestrians who are blind or have low vision. (Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way, Advisory R209

**Q: What are the requirements for an Accessible Pedestrian signal?**

A: Refer to the Manual on Uniform Traffic Control Devices (MUTCD) & PROWAG.

Link to MUTCD: [Chapter 4E - MUTCD 2009 Edition - FHWA (dot.gov)](https://mutcd.fhwa.dot.gov/htm/2009/part4/part4e.htm)

Link to PROWAG: [Chapter R3: Technical Requirements (access-board.gov)](https://www.access-board.gov/prowag/chapter-r3-technical-requirements/#r307-accessible-pedestrian-signals-and-pedestrian-pushbuttons)

**Q: What triggers the update to APS?**

A: Existing pedestrian signal shall comply with R209.1 when the signal controller and software are altered, or the signal head is replaced. (R209.2)

Link to PROWAG Chapter 3 Technical Requirements: <https://www.access-board.gov/prowag/chapter-r3-technical-requirements/>

Link to Roadway Design Guidelines: <https://www.tn.gov/tdot/roadway-design/design-standards/design-guidelines.html>

**Q: When are Accessible Pedestrian signals required?**

A. Pedestrian signal heads should be installed based on engineering judgment. Considerations for dedicated turn movements desired signal timing and pedestrian demand should be used to help determine if an APS should be installed.

Link to MUTCD: <https://mutcd.fhwa.dot.gov/htm/2009/part4/part4e.htm>

**Q: What happens if there is a pedestrian push button but no existing ramp?**

A: Accessibility to the pushbutton must be provided (Example: A compliant ramp would need to be installed that provides pedestrians access to the existing pushbutton.) Even if there is no sidewalk at the intersection. Once a pedestrian pushbutton is installed it is a pedestrian facility which needs to be maintained and be fully accessible.

**Q: Should push buttons be adjusted after replacing a curb ramp, if the button height and/or offset is already out of compliance prior to replacement?**

**A:** If the Pushbutton height meets the PROWAG 406.3 requirements then we do not need to adjust.

* Horizontal Reach: < 10 inches
* Vertical height from Ramp: 1.5ft to 4 ft

## **Alternate Pedestrian Access Routes**

**Q: What are the requirements when temporarily closing a sidewalk?**

A: Pedestrian barricades and channelizing devices must comply with the TDOT Design T-WZ-55. Manual on Uniform Traffic Control Devices (MUTCD). Temporary Traffic Control Plan (TTCP) must include an alternate pedestrian access route or detour complying with MUTCD standards.

Link to TDOT’s Standard Drawings: <https://www.tn.gov/content/tn/tdot/roadway-design/standard-drawings-library/standard-roadway-drawings/design---traffic-control.html>

## **Bus Stops**

**Q: Are bus stops required to provide bench seating?**

A: No, the American with Disabilities Act (ADA) does not require public transportation entities to install bench seating at bus stops or at transportation facilities. However, any bus stop amenity **must** be installed ADA complaint.

**Q: What are the requirements for Bus Stops / Bus Shelters?**

A: Please refer to TDOT Standard Drawings.

Link to TDOT Standard Drawings:<https://www.tn.gov/content/tn/tdot/roadway-design/standard-drawings-library/standard-roadway-drawings.html>

## **Curb Ramps**

**Q: Where are curb ramps required?**

A: Curb ramps are required at all junctions of pedestrian ways and vehicular ways that are separated by a raised curb. The ramps must be useable by persons using wheeled mobility aids i.e., wheelchairs or scooters. For intersections with sidewalks at all corners there should be two curb ramps provided at each corner. Curb ramps connect the pedestrian path at all intersection and midblock locations.

Refer to TCA 7-31-114: [Tenn. Code Ann. § 7-31-114](https://advance.lexis.com/api/document/collection/statutes-legislation/id/4X8J-D6Y0-R03K-8441-00008-00?cite=Tenn.%20Code%20Ann.%20%C2%A7%207-31-114&context=1000516)

**Q: What are the requirements for curb ramps?**

A: Curb ramps must several dimensional and slope requirements.

Link to TCA: [TENNESSEE CODE UNANNOTATED CUI| PAW Document Page (lexis.com)](https://advance.lexis.com/documentpage/?pdmfid=1000516&crid=46fa31fc-a0be-4306-a0fb-e0d36ae97540&nodeid=ACCAAIAABAAB&nodepath=/ROOT/ACC/ACCAAI/ACCAAIAAB/ACCAAIAABAAB&level=4&haschildren=&populated=false&title=55-8-101.%20Chapter%20and%20part%20definitions.&config=025054JABlOTJjNmIyNi0wYjI0LTRjZGEtYWE5ZC0zNGFhOWNhMjFlNDgKAFBvZENhdGFsb2cDFQ14bX2GfyBTaI9WcPX5&pddocfullpath=/shared/document/statutes-legislation/urn:contentItem:5S1W-7TP0-R03K-108C-00008-00&ecomp=_g1_kkk&prid=2326eea1-988c-4999-8ba5-9b7b51fdf926)

Link to PROWAG (R304): <https://www.access-board.gov/prowag/chapter-r3-technical-requirements/>

 Link to TDOT Standard Drawings: <https://www.tn.gov/content/tn/tdot/roadway-design/standard-drawings-library/standard-roadway-drawings/multimodal.html#mmcr1>

## **Detectable Warnings**

**Q: What is the purpose of Detectable Warnings?**

A: Detectable warnings are a distinctive surface pattern of domes detectable by cane or underfoot that alert people with vision impairments of their approach to street crossings and hazardous drop-offs. They are used to indicate the boundary between pedestrian and vehicular routes where there is a flush instead of a curbed connection. Detectable warnings also indicate unprotected drop-offs along the edges of boarding platforms at transit stations and stops.

**Q:** **When determining an existing ramp for compliance, is detectable warning color a consideration?**

A:  An existing ramp that is compliant with ADA standards should be done with regard to running and cross slopes, landing dimensions, sidewalk (PAR) width, and overall condition of the existing ramp, however the detectable warning color is NOT a factor in determining a ramps compliance.  If an existing ramp is compliant by all relevant standards, but the detectable warning is a color other than yellow, the ramp should not be touched. If a ramp is replaced or if a new ramp is constructed, the detectable warning shall be yellow in color.

**Q: Where are detectable warnings required?**

A: Detectable warnings are required at the following locations where a pedestrian facility crosses a vehicular way:

* Curb ramps and blended transitions at street crossings
* Cut-through pedestrian medians and refuge islands >6’ wide
* Pedestrian at grade railroad crossings
* Edges of rail platforms not protected by screens or guards
* Commercial driveways with a STOP sign or traffic signal

Further guidance on accessible public rights-of-way and detectable warnings is available from the Access Board at (800) 872-2253 (v), (800) 993-2822 (TTY), or row@access-board.gov.

**Q: What are the requirements for detectable warnings?**

A: Please refer to TDOT Standards and PROWAG (R305):

705.1.3. Detectable warning services shall contrast visually with adjacent walking surfaces either light on dark, or dark on light. TDOT Standard is **Yellow**.

Link to TDOT Design Standards: <https://www.tn.gov/tdot/roadway-design/design-standards.html>

Link to TDOTS Qualified Products Listings and Procedures: <https://www.tn.gov/tdot/materials-and-tests/research---product-evaluation-and-qualified-products-list.html>

Link to PROWAG Chapter 3: <https://www.access-board.gov/prowag/chapter-r3-technical-requirements/#r305-detectable-warning-surfaces>

## **Greenways / Trails**

**Q: What standards are followed for a greenway/trail?**

A: PROWAG and 2010 ADA Standards, TDOT only funds transportation projects. Tennessee Department of Environment & Conservation (TDEC) has trail funding they can apply.

Link to TDEC: [**https://www.tn.gov/environment.html**](https://www.tn.gov/environment.html)

**Q: Who is responsible maintaining?**

­­­A: Please refer to Greenways & Trails and/or the General Advice for the Development of a Hard Surfaced Greenway Project.

Links to TDEC Guide: <https://www.tn.gov/content/dam/tn/environment/documents/greenways-101.pdf>

**Q: If State funds are not used on the entire project does ADA still need to be met?**

A: Yes, If the project is funded by a citizen, or built by volunteers the project must follow ADA. If built on TDOT property/ROW it must be TDOT standards even if no TDOT money is in the work. This comes for old law in 1974. The ADA Title II 1990 replaced that notion.

## **Parking Spaces**

**Q: How many accessible parking spaces are needed?**

A: It depends, the minimum number of accessible parking spaces required depends on the total number of parking spaces in the lot. Furthermore, one of every six accessible parking spaces, or fraction of six, must be “van-accessible.”

Certain types of medical facilities need more accessible parking: Hospital outpatient facilities need **10%** of patient/visitor spaces to be accessible. Rehabilitation facilities that specialize in treating mobility-related conditions and outpatient physical therapy facilities need **20%** of patient/visitor spaces to be accessible. The number of van-accessible spaces is one of every six accessible parking spaces, or fraction of six.

Link to ADA Accessibility Standards: <https://www.access-board.gov/ada/guides/chapter-5-parking/>

**Q: What is the Cross Slope Standards when assigning Accessible Parking Spaces?**

A: The slope along the accessible route should not be greater than **1:12** in the direction of travel. Accessible parking spaces may be clustered in one or more facilities if equivalent or greater accessibility is provided in terms of distance from the accessible entrance, parking fees, and convenience.

##

## **Pedestrian Crossing**

Q: **What is a legal Crossing (Crosswalk)?**

A: At any intersection of two streets and at locations that have been marked and designated as midblock crossings, are a legal crosswalk. Pedestrians crossing at these locations have a legal right of way and vehicles must yield. If pedestrian facilities exist at these locations, then any triggering ADA activity must make those legal crossings accessible. Crosswalks may be signal controlled, stop or yield controlled, or may be uncontrolled. Regardless of how the traffic is being controlled at those intersections they are still legal crossing and must be made accessible. Crosswalks need not be marked to be legal crosswalks unless they are midblock crossings. In fact, most crosswalks are unmarked and uncontrolled.

Link to Roadway Standards: <https://www.tn.gov/tdot/roadway-design/design-standards.html>

**Q: What are the Crosswalk markings allowed by TDOT?**

A: Longitudinal and transverse crosswalks are the only crosswalk markings TDOT allows. Marked crosswalks are a preferred location for pedestrians to cross a road. Marked crosswalks can be one of two pavement marking configurations: 1) Longitudinal, which is sometimes referred to as “piano keys”, or 2) transverse. Longitudinal markings should be used where added emphasis is needed for the crosswalk, and on state roadways.

Longitudinal and transverse crosswalks are shown in Roadway Standard Drawing T-M-4. The Designer is required to adhere to crosswalk design requirements contained in the MUTCD Section 3B.18 as well as PROWAG.

## **Pedestrian Facilities**

**Q: What is considered a pedestrian facility?**

A: Pedestrian facilities, which are facilities specifically intended to accommodate people walking, generally include crossings, refuge islands, pedestrian pushbutton, signs and signals, information technology systems (ITS), sidewalks, other walkways, curb ramps, public transit loading zones, grade-separation structures, call boxes, and street furniture.

## **Roundabouts**

**Q: What accessibility feature is needed in a roundabout? Is it feasible for ADA compliance?**

A: Refer to TDOT’s Standard Drawings: <https://www.tn.gov/tdot/roadway-design/standard-drawings-library/standard-roadway-drawings/roadway-design-standards/rd01-ts-9.html>

## **Sidewalks**

**Q: Are sidewalks required by ADA?**

A: The ADA does not require sidewalk. However, accessible routes connecting

accessible entrances to building and facilities are required. But, when sidewalks are provided, they must comply with the ADA.: Accessible routes” routes connecting accessible entrances to building and parking facilities **ARE** required.

**Q: Do Sidewalks need to comply with ADA?**

A: Yes, please refer to TDOT Standard: <https://www.tn.gov/content/tn/tdot/roadway-design/standard-drawings-library/standard-roadway-drawings/multimodal.html#mmsw4>

**Q: What is the required passing space for sidewalks?**

A: In constrained conditions, it is permissible to have a clear width of four (4) feet, if passing areas five (5) feet in width are provided no more than 200 feet apart. A minimum continuous and clear pedestrian throughway zone width of five (5) feet must be maintained. However, if the general width of a sidewalk if 5ft or more than passing spaces need to be provided.

**Q: Who is responsible for maintaining sidewalks?**

A: It Depends on the ROW of where the sidewalk is located. Refer to TCA 54-1-126 for further guidance.

Link to TCA: <https://www.tncourts.gov/Tennessee%20Code>

# **Helpful Resources**

# NATIONAL

[ADA National Network](https://adata.org/) - Information, guidance, and training on the ADA.

<https://adata.org/>

DOJ: Supplement to the 2013 DOJ/DOT Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to provide curbs when streets, Roads, or Highways are altered through Resurfacing.

<https://www.ada.gov/doj-fhwa-ta-supplement-2015.html>

[Great Plains ADA Center](https://www.gpadacenter.org/) - Resource for technical assistance, information, and training on the ADA.

<https://www.gpadacenter.org/>

[FAA Guidance](https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/disability_compliance/) - Resources for airport accessibility complaints and ADA laws and regulations relating to airports.

<https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/disability_compliance/>

[FTA Circular 4710.1](https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/americans-disabilities-act-guidance-pdf) - provides guidance to recipients and subrecipients of FTA financial assistance to carry out necessary ADA provisions.

<https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/americans-disabilities-act-guidance-pdf>

[FHWA Guidance](https://www.fhwa.dot.gov/civilrights/programs/ada/resources.cfm) - provides resources for designing accessible rights of way for states and subrecipients.

<https://www.fhwa.dot.gov/civilrights/programs/ada/resources.cfm>

[United States Access Board](https://www.access-board.gov/) - Federal agency that promotes equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards for the built environment, transportation, communication, medical diagnostic equipment, and information technology.

<https://www.access-board.gov/>

[USDOJ](https://www.ada.gov/) - Information and Technical Assistance on the Americans with Disabilities Act.

<https://www.ada.gov/>

*USDOJ* - Nondiscrimination on the Basis of Disability in the State and Local Government Services; Public Accommodations and Commercial Facilities; Accessibility Standards; Proposed Rule

<https://www.ada.gov/archive/t2nprm94.htm>

[Web Accessibility Guidance](https://www.ada.gov/websites2.htm) - Resources put out by the U.S. Department of Justice.

<https://www.ada.gov/websites2.htm>

# STATE

Empower Tennessee – Middle Tennessee’s Center for Independent Living

<https://empowertennessee.org/>

Tennessee Disability Coalition (T.A.R.P.)

<https://www.tndisability.org/>

Tennessee Department of Commerce & Insurance (Codes Enforcement)

<https://www.tn.gov/commerce/fire/codes-enforcement.html>

Tennessee Human Rights Commission

<https://www.tn.gov/humanrights.html>

TDOT Standard Specifications Book:

<https://www.tn.gov/tdot/tdot-construction-division/transportation-construction-division-resources/transportation-construction-2015-standard-specifications.html>

TDOT Roadway Design Standards

<https://www.tn.gov/content/tn/tdot/roadway-design/design-standards/design-guidelines.html>

TDOT Qualified Approved Products List (QPL)

<https://www.tn.gov/tdot/materials-and-tests/research---product-evaluation-and-qualified-products-list.html>

TDOT Work Zone Safety Mobility Manual

<https://www.tn.gov/content/tn/tdot/traffic-operations-division/traffic-operations-division-resources/work-zone-safety-and-mobility-manual.html>

TDOT Traffic Design Manual

<https://www.tn.gov/content/tn/tdot//traffic-operations-division/traffic-operations-division-resources/traffic-design-manual.html>