

TECHNICAL ASSISTANCE TOOL

**Subrecipients such as MPO's & Local Government Agency that receive FHWA funds (LPA)s Responsibilities**

A. General Requirements (Subpart A and B):	Yes	No	?
1. Does the LPA have a 504/ADA coordinator? (28 CFR 35.107(a) & 49 CFR 27.13(a))			
2. Does the LPA have an internal grievance procedure that allows for quick and prompt solutions for any complaints based on alleged noncompliance with 504/ADA? (28 CFR 35.107(b) & 49 CFR 27.13(b))			
3. Does the LPA keep on file for at least one year all complaints of noncompliance with ADA and 504 received? (49 CFR 27.121(b))			
4. Has the LPA drafted and disseminated to participants, applicants, employees, unions, and contractors/consultants a non-discrimination policy statement that states that the LPA does not discriminate on the basis of disability in admission or access to, or treatment or employment in its programs or activities? (28 CFR 35.106 & 49 CFR 27.15)			
5. Does the non-discrimination policy statement also identify the name, title, office address and office telephone number of the 504/ADA Coordinator? (28 CFR 35.107(a) & 49 CFR 27.15(a) and (b))			
6. Has the LPA conducted a self-evaluation of its current services, policies, and practices, and the effects thereof, to determine necessary modifications to achieve program accessibility? (28 CFR 35.105 & 49 CFR 27.11(c)(2)(i-v))			
7. If so, did the LPA provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments? (28 CFR 35.105(b) & 49 CFR 27.11(c)(2))			
8. Has the recipient established a system for periodically reviewing and updating the evaluation? (49 CFR 27.11 (c)(2)(v))			
9. Does the LPA maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities? (28 CFR 35.133)			
10. Does the LPA monitor sub-recipients who receive LPA assistance (local governments, contractors, consultants) to ensure compliance with Title II ADA and 504 with respect to state transportation agency (STA) funded (both Federal and State \$\$) projects and programs that the sub-recipients implement? (28 CFR 35.130 (b)(1)(v) & 49 CFR 27.7 (V))			
11. Does the LPA provide a written assurance to the STA that it will not discriminate on the basis of disability in the provision of its programs, services, activities, and facilities, and that it will be in compliance with Section 504 and all of its requirements? (49 CFR 27.9)			

**B. Program and Facility Accessibility ( Subpart D)**

<i>Title II ADA Transition Plan requirements</i>			
1. Has the LPA developed and implemented a transition plan that outlines which structural modifications must be made to those programs and services that are not accessible? (28 CFR 35.150(d) & 49 CFR 27.11)			
2. Has the LPA also developed a curb ramp installation schedule as part of the transition plan for pedestrian facilities it owns, operates and/or maintains? (28 CFR 35.150(d)(2))			
3. If so, did the LPA provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the transition plan process by submitting comments? (28 CFR 35.150(d)(1) & 49 CFR 27.11(c)(2))			



<b>B. Program &amp; Facility Accessibility (Subpart D) Cont'd</b>	<b>Yes</b>	<b>No</b>	<b>?</b>
4. Is the transition plan available for public inspection? (28 CFR 35.150(d)(1) & 49 CFR 27.11)			
5. Has the LPA modified any policies or practices that do not meet Section 504 according to a schedule or sequence that includes milestones or measures of achievement? (49 CFR 27.11 (c)(2)(iii))			
6. Has the LPA taken appropriate remedial steps to eliminate the effects of any discrimination that resulted from previous policies and practices? (49 CFR 27.11 (c)(2)(iv))			
7. Does the LPA have a process to analyze a project, program, service or benefit for determinations of "undue" financial or administrative burdens, or fundamental alteration to the program, service or benefit that comports with the criteria for making such determinations in 28 CFR 35.150 (a)(3) and 28 CFR 35.164?			
8. Does the LPA build new facilities and alter existing ones (both pedestrian ROW and STA buildings) in accordance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Appendix A of 49 CFR 37? (28 CFR 35.151 (c) and 49 CFR 27.3 (b))			
9. Does the LPA have a process and procedure for the installation of accessible features on the pedestrian rights-of-way (curb ramps, accessible pedestrian signals, etc.)?			
10. Does the LPA provide accessible highway rest areas and pedestrian underpasses, overpasses and ramps that are newly constructed or altered with Federal aid? (49 CFR 27.75)			
11. Does the LPA have a process for making technical infeasibility determinations for new construction and alterations that comports with the criteria in ADAAG 4.1.1 (5) and 4.1.6(J)?			
12. Does the LPA have a process to provide access to programs, services and benefits to those with disabilities that comports with 28 CFR 35 150 (b)(1)?			
13. Does the LPA install curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway, when streets, roads, highways or crosswalks are newly constructed or altered, or when the crosswalk is constructed with Federal aid? (28 CFR 35.151 (e)(1)(2) and 49 CFR 27.75 (a)(2))			
14. Is the LPA installing detectable warnings in the form of truncated domes in curb ramps when roadways with pedestrian facilities are altered? (ADAAG 4.29 and FHWA policy guidance (May 2002))			

<b>C. Communications (Subpart E)</b>	<b>Yes</b>	<b>No</b>	<b>?</b>
1. Does the LPA provide auxiliary aids (sign language interpreters, readers, Braille, large print text) upon request, to STA program participants with disabilities? (28 CFR 35.160 (b)(1) and 49 CFR 27.7(c))			
2. Does the LPA notify the public and other interested parties that auxiliary aids will be provided, upon request (e.g., via public meeting announcement)? (28 CFR 35.160 (a), 28 CFR 35.163 (a), and 49 CFR 27.7(c))			
3. Is the LPA website and all of its contents accessible to individuals with hearing or visual impairments? (28 CFR 35.160 (a), 28 CFR 35.163 (a), and 49 CFR 27.7(c))			
4. Are LPA hotlines and other telephone services (511, traffic information) accessible by TTD/ TTY phone services? Can hearing impaired individuals contact the STA via TTD/TTY phone line? (28 CFR 35.161 and 49 CFR 27.7(c))			



**Transition Plan Attributes Review Guide:**

All Elements posted conspicuously on website, for internal and external use

Transition Plan Attribute	Review Comments
<p>Official responsible for implementation of the TP, i.e., Executive Director, Secretary, Commissioner, Chief Engineer, etc. 28 CFR 35.150(d)(3)(iv)</p>	
<p><b>Inventory of barriers</b> (identification of physical obstacles) 28 CFR 35.150(d)(3)(i); 28 CFR 35.105 (a) – State demonstrates good faith by identifying intersection information, including curb ramps and other associated accessibility elements, as a starting point and showing movement and commitment toward developing a full inventory.</p> <p>Require an Action Plan to develop an inventory of sidewalks (slopes, obstructions, protruding objects, changes in levels, etc.), signals (APS), bus stops (bus pads), buildings, parking, rest areas (tourist areas, picnic areas, visitor centers, etc.), mixed use trails, linkages to transit.</p> <p>Best practice - have discussion of jurisdictional issues/responsibilities for sidewalks</p>	
<p><b>Schedule</b> – Show a strong commitment toward upgrading ADA elements identified in the inventory of barriers in the short term (planned capital improvement projects) and a strong commitment over time toward prioritizing curb ramps at walkways serving entities covered by the ADA. 28 CFR 35.150(d)(2) This would also include prioritization information, planning, and investments directed at eliminating other identified barriers over time. 28 CFR 35.150(d)(3)</p> <p>Best practice - dedicate resources to eliminate identified ADA deficiencies</p>	
<p>Describe in detail the <b>Methods</b> that will be used to make the facilities accessible. 28 CFR 35.150(d)(3)(ii)</p> <p>Best practice – include the Standard that the STA is following (i.e., 2010 ADAAG, 2011 PROWAG)</p>	
Other ADA Requirements	Review Comments
<p><b>Public Involvement</b> – Description of process to allow public to readily access and submit comments for both self-evaluation and transition plan. 28 CFR 35.150(d)(1); 28 CFR 35.105(b)</p> <p>Best practices: a) detailed list of individuals consulted posted conspicuously on website, does not have to be in actual TP, but must be documented and available; b) have both electronic and hard copy notice. 28 CFR 35.105(c)</p>	
<p><b>ADA policy statement</b> is a requirement of State Agencies, but does not have to be in the TP per se, but it is a good practice and needs to be easily accessible by the public. 28 CFR 35.106</p> <p>Best practice - post conspicuously on website, for internal and external use</p>	
<p>Clear identification of the <b>ADA Coordinator</b> (dedicated trained staff) with contact information (i.e., name, office address, telephone number, email address, fax number) 28 CFR 35.107(a)</p>	
<p>Clear <b>Complaint/Grievance Process</b> to receive and address complaints/grievances from the public (is a requirement of State Agencies, but does not have to be in the TP per se, but it is a good practice and needs to be easily accessible by the public). 28 CFR 35.107(b)</p>	

REVIEWER \_\_\_\_\_

DATE \_\_\_\_\_



# Pedestrians Checklist and Considerations for Temporary Traffic Control Zones

For those who plan, design, and construct temporary traffic control (TTC) zones, the *Manual on Uniform Traffic Control Devices (MUTCD)* provides guidance considerations regarding pedestrians, accessibility, and worker safety. This document provides a checklist and overview of pedestrian-related considerations during planning, design, and construction phases for a project and is designed to enhance pedestrian safety and accessibility, maintain Americans with Disabilities Act of 1990 (ADA) compliance, and provide positive guidance to avoid pedestrian confusion throughout each phase. This side of the document provides pedestrian considerations for use during the planning and design phases, while the other side provides information for users while out in the field.

## Pedestrian Considerations during Planning and Design

### Planning

- Provide a safe, convenient travel path for pedestrians that replicates as nearly as possible the most desirable characteristics of the existing sidewalks or footpaths throughout all phases of construction.
- Avoid creating pedestrian paths that lead pedestrians into direct conflicts with work site vehicles, equipment, operations.
- Avoid creating pedestrian paths that lead pedestrians into direct conflicts with mainline traffic moving through or around the work site.
- Determine the TTC impact on pedestrians, including significant generators such as schools, senior centers, transit stops and shopping areas.
  - Determine the level of accessibility needed for pedestrians in the TTC zone through observing existing pedestrian travel patterns, and make accommodations prior to the start of work. Consider meeting with local community organizations (i.e., local blind organization, city ADA coordinator, etc.) through open houses to address concerns and needs. Develop outreach products available in the appropriate formats for those with special needs.
- Assess the TTC impact on existing pedestrian flow.
  - Ensure that temporary facilities replicate as nearly as practical the accessibility features present in the existing pedestrian facility when the existing facilities are disrupted, closed, or relocated in a TTC zone.



photo courtesy of AAA Foundation for Traffic Safety



### Design

- Provide pedestrian information throughout the TTC zone.
  - Provide advance information, transition information, work area information, and ingress and egress directions for pedestrians. See *Accommodating Pedestrians in Work Zones* brochure developed by FHWA; FHWA-SA-03-011.
- The TTC pedestrian accommodation that utilizes a temporary route does the following:
  - Defines detoured routes clearly.
  - Provides advance signage at intersections rather than mid-block locations.
  - Separates pedestrians from vehicle traffic.
  - Avoids mid-block crossings.
  - Ensures that temporary routes are not much longer than the original route.
  - Provides clear and positive guidance to delineate a temporary route.
  - Provides continuous access to transit stops and/or relocates transit stops.
- Maintain a continuous accessible path of travel either around or through the construction site throughout all construction phases.
- Ensure compliance with Americans with Disabilities Act (ADA) of 1990 requirements.
  - Provide an alternate route when existing pedestrian facilities are disrupted, closed, or relocated in a TTC zone. Temporary facilities should replicate the features present in the existing pedestrian facility.
  - Ensure a minimum sidewalk width of 36" (a 48" width is desirable), erect curb ramps, and provide passing space (minimum 5 foot by 5 foot space every 200 feet).
  - Maintain a minimum width and smooth surface to avoid creating tripping danger and to minimize barriers to wheelchair use. This includes providing ADA compliant facilities.
  - Make all barriers and channelizing devices detectable for pedestrians with visual disabilities. Note that the use of caution tape stretched between traffic control devices is not adequate and not acceptable.
  - Consider using additional devices for visual disabilities, such as audible information devices or accessible pedestrian signal.
- Maintain pedestrian access to businesses, residences, transit stops, etc.
- Provide temporary nighttime lighting for pedestrian walkways throughout the TTC zone.



continued on reverse



# Pedestrians Checklist and Considerations for Temporary Traffic Control Zones

Continued

## Pedestrian Considerations While in the Field

### Construction/Maintenance/Utility

- Promote adequate pedestrian safety via physical separation from work space and vehicular traffic, overhead protection, etc.
- Provide adequate and safe detour(s) whenever sidewalks are closed or blocked.
  - Use signs at intersections to give advance notification of closures ahead, and inform pedestrians where to cross.
  - Provide audible signage for pedestrians with visual disabilities.
- Clear the path of debris and other items that may obstruct pedestrians' paths.
  - Avoid pedestrian walkway surfaces that are slippery when wet.
- Consider carefully the placement of intersection crosswalks, implement additional signing/markings, add and/or relocate transit stops, and modify traffic signals (traffic signal timing, pedestrian signals, push buttons) as necessary.
  - Take into account walking speeds and the distance pedestrians travel when traversing travel lanes to determine minimum green time.
- Inspect pedestrian accommodations during construction to ensure that the traffic control plan (TCP) is followed.
- Ensure traffic control devices are in good and safe condition.
  - Devices should be sturdy, firm to the grip, and smooth to the touch (have no rough edges).
  - Devices should not be potential tripping hazards
  - Provide a continuous, detectable edging throughout the length of the facility such that pedestrians using a long cane can follow it.
- Make pedestrian routes ADA compliant and available to pedestrians during all phases of construction.



## Helpful Resources

- U.S. Access Board [www.access-board.gov](http://www.access-board.gov)
  - Public Rights-of-Way Accessibility Guidelines (PROWAG): <http://www.access-board.gov/prowac/draft.htm#Text> or US Access Board's PROW team: (800)872-2253.
  - Access Board videos on Accessible Sidewalks. <http://www.access-board.gov/news/sidewalk-videos.htm>.
  - Accessible Design for the Blind: [www.accessforblind.org](http://www.accessforblind.org)
- MUTCD. <http://mutcd.fhwa.dot.gov/index.htm>
- FHWA's pedestrian safety website. [http://safety.fhwa.dot.gov/PED\\_BIKE/ped/index.htm](http://safety.fhwa.dot.gov/PED_BIKE/ped/index.htm).
- Federal Highway Administration, *Pedestrian Road Safety Audit Guidelines and Prompts Lists*, July 2007 FHWA-SA-07-007



SAFER ROADS SAVE LIVES

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