Bus Stop Design Can You Comply AND Be Welcoming?

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Disclaimer

The content provided is for informational and educational purposes only. Neither the content nor delivery of the content is, or shall be, deemed to be legal advice or a legal opinion. The audience should not rely on the content delivered as applicable to any specific circumstance or situation. The information provided is not a substitute for professional legal advice

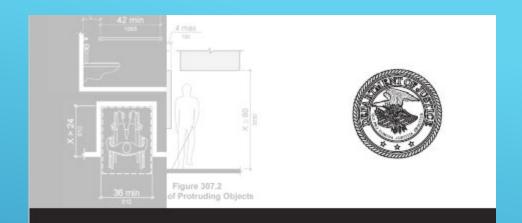
The ADA

- Five (5) Parts of ADA
 - Title I Employment
 - Title II Public Services (Public/Governmental Agencies)
 - Title III Public Accommodations
 - Title IV Telecommunications covers private telephone companies
 - Title V Miscellaneous construction standards and practices, technical assistance provisions, etc.
- Federal Agencies with Enforcement Responsibility*
 - Department of Justice
 - EEOC (Title I)
 - Department of Transportation (including FHWA and FTA)
 - FCC (Title IV)
 - Department of Education
 - Department of Health and Human Services
 - Department of Labor
 - Department of Housing and Urban Development
 - Department of Interior
 - Department of Agriculture

- Enacted in 1990
 - Companion to Civil Rights Act of 1964
 - Companion to Section 504 of the Rehabilitation Act of 1973

 Mandates that disabled individuals shall not be excluded from participation in, denied the benefit of, or be subject to discrimination under any service, program or activity by a public entity.

http://www.ada.gov/2010_regs.htm



2010 ADA Standards for Accessible Design

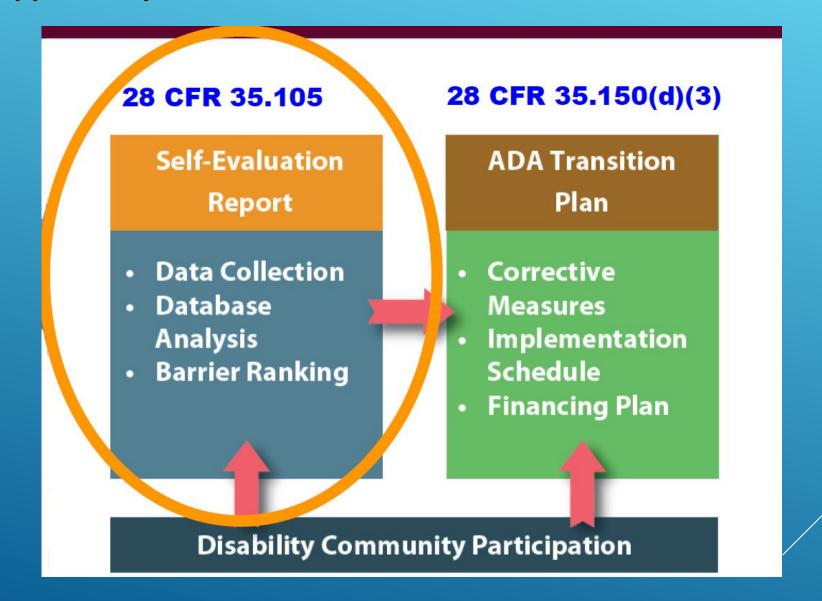


Title II - Public Services (con't)

A public entity that employs 50 or more persons shall:

- Designate at least one employee to coordinate its efforts to comply with the ADA (Designate ADA Coordinator).
- Adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part.
- Prepare a Transition Plan Transition Plan completion was required by JULY 26, 1992!

Applicability of ADA to Local Units of Government/Public Entities



Title II - Public Services

Requires a self-evaluation of programs, facilities, current services, policies, and practices,

 Facility means all or any portion of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property, including the site where the building, property, structure, or equipment is located.

DOT ADA 10/19/2011 Final Rule--Summary of Major Points (PDF)

Updated: Tuesday, February 21, 2017



ADA Circular

Title VI of the Civil

Equal Employment

Opportunity (EEO)

Training Materials

File a Complaint with

Disadvantaged Business * Enterprise (DBE)

Rights Act of 1964

- . Americans with Disabilities Act: Guidance (PDF)
- · Americans with Disabilities Act: Guidance (Word version)
- ADA Circular press release
- FTA Acting Administrator Therese McMillan statement[®]
- FTA ADA Circular Fact Sheet (PDF)
- ADA Circular training series

DOT Legal Opinion on Facility Alterations

Alteration Requirements Under 49 CFR 37.43(a) (May 2016)

ADA Dear Colleague Letters

- · DOT ADA Requirements for Station Alterations
- LRT Vehicle Car Barrier Requirements

ADA Final Rule on Reasonable Modification

· Parts 27 and 37--Transportation for Individuals with Disabilities; Reasonable Modification of Policies and Practices (PDF)

ADA Regulations

- . Part 27--Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance
- Part 37--Transportation Services for Individuals with Disabilities · ADA Standards for Transportation Facilities
- · Part 38--Accessibility Specifications for Transportation Vehicles
- · Part 39--Transportation for Individuals with Disabilities: Passenger Vessels

Tips for ADA Compliance

· Requirements to Remember for Construction Projects (PDF)

Updated: Friday, February 17, 2017

- Fund (DREDF)
- · National Aging and Disability Transportation Center (NADTC)

Contact Us

Office of Civil Rights

Federal Transit Administration 1200 New Jersey Avenue, SE Washington, DC 20590 United States

Phone: 888-446-4511

Business Hours: 8:30am-5:00pm ET, M-F

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Civil Rights / ADA Americans with Disabilities Act (ADA) Title VI of the Civil Rights Act of 1964 Disadvantaged Business * Enterprise (DBE) Equal Employment Opportunity (EEO) Training Materials File a Complaint with FAQ

Civil Rights/ADA

What's New

- · View our video: ADA and the FTA: Improving Transit Access for People with Disabilities 4
- · Equal Employment Opportunity (EEO) guidelines
- · Eligible Transit Vehicle Manufacturer List
- DOT Legal Opinion: Facility Alteration Requirements Under 49 CFR 37.43(a)

Overview

The Office of Civil Rights is responsible for ensuring public transit providers comply with all nondiscrimination requirements. The office oversees the implementation of laws and regulations that prohibit discrimination on the basis of race, color, national origin, religion, sex, disability, and age in the provision of services to the public. The office provides technical assistance and training and conducts complaint investigations and onsite compliance reviews to ensure public transit providers fulfill civil rights requirements. Major programs the office implements include:

- . Title VI of the Civil Rights Act of 1964
- · Americans with Disabilities Act of 1990
- Disadvantaged Business Enterprise program
- · Equal Employment Opportunity program

Related Links

- · Sign Up for Updates
- · Shared Mobility Guidance
- · ADA and the FTA: Improving Transit Access for People with Disabilities (video)

Contact Us

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https://www.youtube.com/watch?v=Wr44TwH5WEg&f eature=youtu.be

https://youtu.be/Wr44TwH5WEg



CIRCULAR

FTA C 4710.1

Federal Transit Administration

November 4, 2015

Subject: AMERICANS WITH DISABILITIES ACT (ADA): GUIDANCE

- PURPOSE. This circular provides guidance to recipients and subrecipients of Federal Transit
 Administration (FTA) financial assistance necessary to carry out provisions of the Americans with
 Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1973, as amended, and the
 U.S. Department of Transportation's implementing regulations at 49 CFR Parts 27, 37, 38, and 39.
- CANCELLATION. This is a new circular. It does not cancel any existing directive.
- SCOPE. This circular applies to all assistance authorized by the Federal Transit Laws (49 U.S.C. Chapter 53) and all programs administered by FTA.

4. <u>AUTHORITIES</u>.

- a. Americans with Disabilities Act of 1990
- b. Section 504 of the Rehabilitation Act of 1973, as amended
- c. 49 CFR Parts 27, 37, 38, and 39
- d. Federal Transit Laws, 49 U.S.C. 5301 et seq.

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FTA C 4710.1

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Abbreviations and Acronyms

CDOT ADA Subrecipient FAQ Sheet

Eboni Younger-Riehl, Civil Rights Specialist CDOT Civil Rights & Business Resource Center

What Standards do I follow????



1991 ADA STANDARDS FOR ACCESSIBLE DESIGN "ADAAG"

The 1991 ADA Standards were in effect until March 14, 2011. The 2010 Standards are the <u>current enforceable accessibility standards</u>.

Department of Justice

The 1991 Standards were in effect for new construction and alterations until March 14, 2012. The Department's 2010 ADA Standards for Accessible Design were published September 15, 2010 and became effective on March 15, 2012.

28 CFR Part 36

Revised as of July 1, 1994

Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities

Excerpt from 28 CFR Part 36:

ADA Standards for Accessible Design



10. TRANSPORTATION FACILITIES.

10.1 General. Every station, bus stop, bu pad, terminal, building or other transportat facility, shall comply with the applicable provisions of section 4, the special applicati sections, and the applicable provisions of th section.

10.2 Bus Stops and Terminals.

10.2.1 New Construction.

(1) Where new bus stop pads are constructed at bus stops, bays or other areas where a lift or ramp is to be deployed, they shall have a firm, stable surface; a minimum clear length of 96 inches (measured from the curb or vehicle roadway edge) and a minimum clear width of 60 inches (measured parallel to the vehicle roadway) to the maximum extent allowed by legal or site constraints; and shall be connected to streets. sidewalks or pedestrian paths by an accessible route complying with 4.3 and 4.4. The slope of the pad parallel to the roadway shall, to the extent practicable, be the same as the roadway. For water drainage, a maximum slope of 1:50 (2%) perpendicular to the roadway is allowed.

The Architectural and Transportation Barriers Compliance Board (Access Board) is revising and updating its accessibility guidelines for buildings and facilities covered by the Americans with Disabilities Act of 1990 (ADA) and the Architectural Barriers Act of 1968 (ABA). These guidelines cover new construction and alterations and serve as the basis for enforceable standards issued by other Federal agencies.

The guidelines are effective September 21, 2004. The incorporation by reference of certain publications listed in the guidelines is approved by the Director of the Federal Register as of September 21, 2004.



Americans with Disabilities Act and Architectural Barriers Act Accessibility Guidelines

July 23, 2004

UNITED STATES ACCESS BOARD

A FEDERAL AGENCY COMMITTED TO ACCESSIBLE DESIGN

- 810.1 General. Transportation facilities shall comply with 810.
- 810.2 Bus Boarding and Alighting Areas. Bus boarding and alighting areas shall comply with 810.2.

Advisory 810.2 Bus Boarding and Alighting Areas. At bus stops where a shelter is provided, the bus stop pad can be located either within or outside of the shelter.

- 810.2.1 Surface. Bus stop boarding and alighting areas shall have a firm, stable surface.
- **810.2.2 Dimensions.** Bus stop boarding and alighting areas shall provide a clear length of 96 inches (2440 mm) minimum, measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches (1525 mm) minimum, measured parallel to the vehicle roadway.

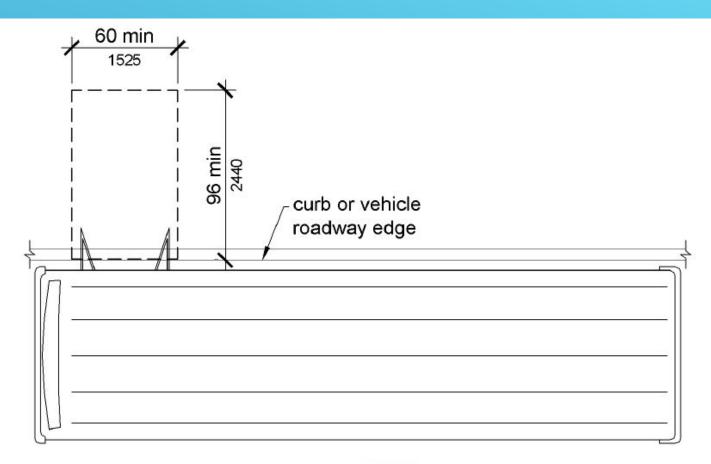


Figure 810.2.2
Dimensions of Bus Boarding and Alighting Areas

810.2.3 Connection. Bus stop boarding and alighting areas shall be connected to streets, sidewalks, or pedestrian paths by an *accessible* route complying with 402.

810.2.4 Slope. Parallel to the roadway, the slope of the bus stop boarding and alighting area shall be the same as the roadway, to the maximum extent practicable. Perpendicular to the roadway, the slope of the bus stop boarding and alighting area shall not be steeper than 1:48.

Americans with Disabilities Act (ADA) Standards for Transportation Facilities

Adopted by the U.S. Department of Transportation (2006)



About this Edition of the ADA Standards for Transportation Facilities

This edition of the ADA Standards was adopted by the U.S. Department of Transportation in 2006 for public transportation facilities covered by the ADA in new construction and alterations. DOT's ADA Standards apply to facilities used by state and local governments to provide designated public transportation services, including bus stops and stations, and rail stations.

These standards are closely based on the Board's ADA Accessibility Guidelines (ADAAG) but include additional requirements concerning:

- Location of Accessible Routes (206.3)
- Detectable Warnings on Curb Ramps (406.8)
- Bus Boarding and Alighting Areas (810.2.2)
- Rail Station Platforms (810.5.3)

Other types of facilities covered by the ADA are subject to the U.S. Department of Justice's 2010 ADA Standards.

810.2.2 Dimensions. Bus stop boarding and alighting areas shall provide a clear length of 96 inches (2440 mm) minimum, measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches (1525 mm) minimum, measured parallel to the vehicle roadway.

Note to Reader: The Department of Transportation's ADA standards indicate that compliance is required to the extent construction specifications are within a public entity's control:

810.2.2 Dimensions. Bus boarding and alighting areas shall provide a clear length of 96 inches (2440 mm), measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches (1525 mm), measured parallel to the vehicle roadway. *Public entities shall ensure that the construction of bus boarding and alighting areas comply with 810.2.2, to the extent the construction specifications are within their control.*

810.3 Bus Shelters. Bus shelters shall provide a minimum clear floor or ground *space* complying with 305 entirely within the shelter. Bus shelters shall be connected by an *accessible* route complying with 402 to a boarding and alighting area complying with 810.2.

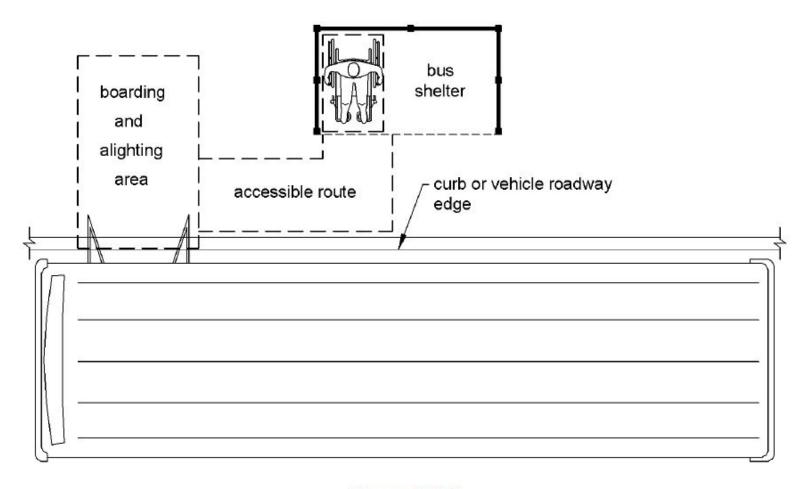
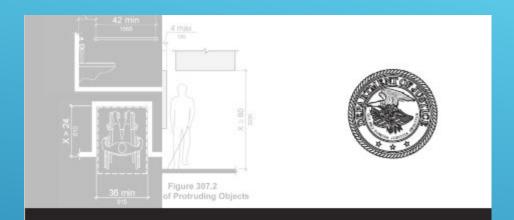
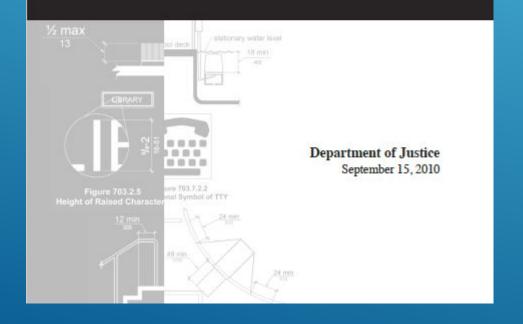


Figure 810.3 Bus Shelters



2010 ADA Standards for Accessible Design



810.2.2 Dimensions. Bus stop boarding and alighting areas shall provide a clear length of 96 inches (2440 mm) minimum, measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches (1525 mm) minimum, measured parallel to the vehicle roadway.

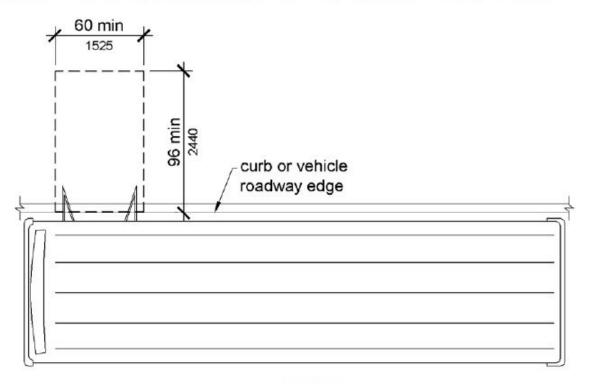


Figure 810.2.2
Dimensions of Bus Boarding and Alighting Areas

810.2.3 Connection. Bus stop boarding and alighting areas shall be connected to streets, sidewalks, or pedestrian paths by an *accessible* route complying with 402.

810.2.4 Slope. Parallel to the roadway, the slope of the bus stop boarding and alighting area shall be the same as the roadway, to the maximum extent practicable. Perpendicular to the roadway, the slope of the bus stop boarding and alighting area shall not be steeper than 1:48.

DO YOU SEE A PATTERN DESPITE WHAT STANDARDS YOU ARE LOOKING AT??

code of al regulations

Departi

The 1991 seffect for and altera 14, 2012. The 2010 ADA Accessible published 2010 and an on March

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July 23, 2004

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Adopted by the U.S. Department of Transportation (2006)





2010 ADA Standards for Accessible Design



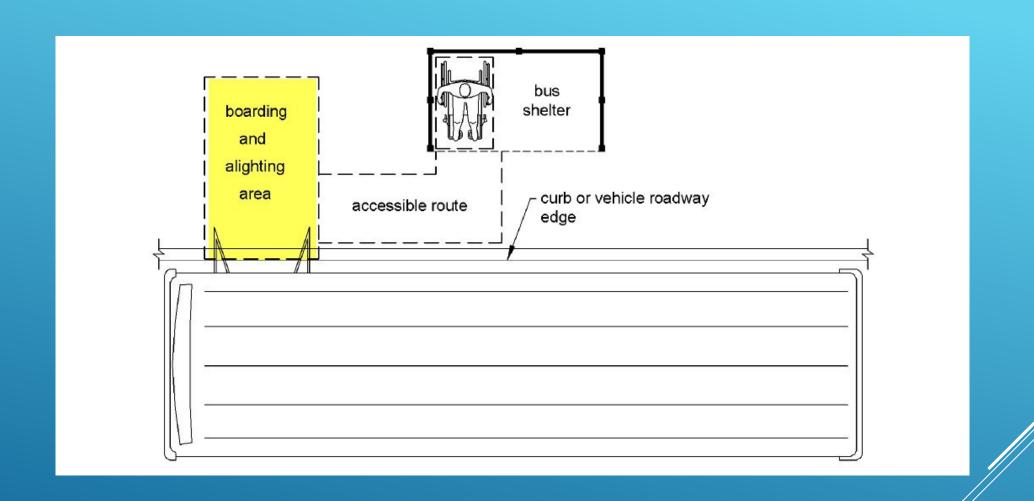


UNITED STATES ACC

A FEDERAL AGENCY COMMITTED TO

MHAT DO THEY ALL SAYSSS

- BUS STOP BOARDING AND ALIGHTING AREAS SHALL BE CONNECTED TO STREETS, SIDEWALKS, OR PEDESTRIAN PATHS BY AN ACCESSIBLE ROUTE
- BUS STOP BOARDING AND ALIGHTING AREA SHALL BE THE SAME AS THE ROADWAY, TO THE MAXIMUM EXTENT PRACTICABLE
- BUS STOP BOARDING AND ALIGHTING AREAS SHALL PROVIDE A CLEAR LENGTH OF 96 INCHES (8 FEET) MINIMUM, MEASURED PERPENDICULAR TO THE CURB OR VEHICLE ROADWAY EDGE, AND A CLEAR WIDTH OF 60 INCHES MINIMUM (5 FEET), MEASURED PARALLEL TO THE VEHICLE ROADWAY



What standards then???

Current Standards are 2006 DOT Standards

Americans with Disabilities Act (ADA) Standards for Transportation Facilities

Adopted by the U.S. Department of Transportation (2006)

Transit Agency Jurisdiction

- Public entities required to follow DOT Standards when constructing new transportation facilities or altering existing ones
 - Must operate transportation facility in a manner that is "accessible to and usable by individuals with disabilities"



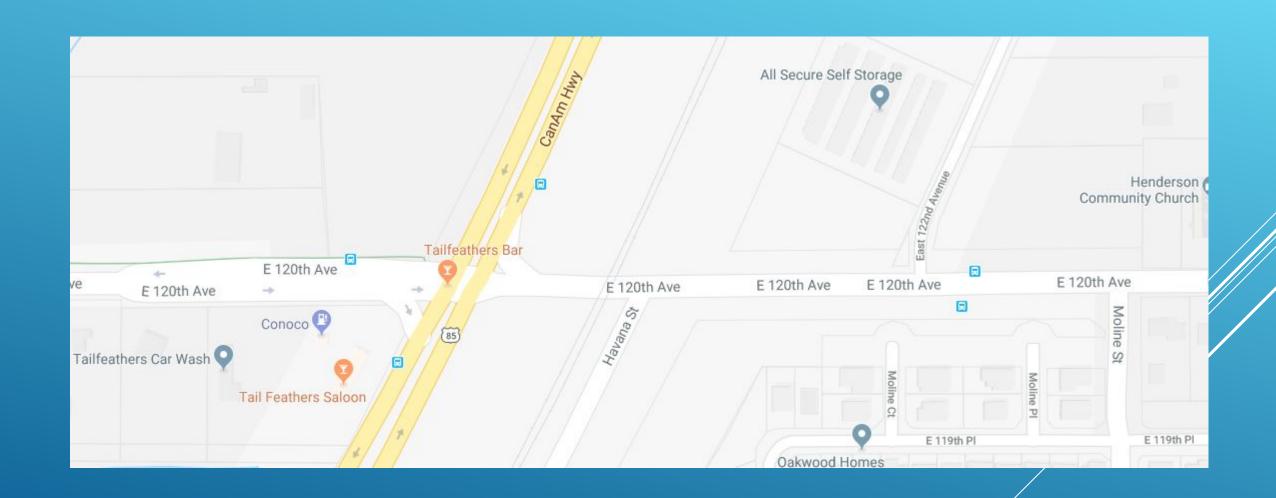
- Coordination with other entities
- Shared intercity and commuter rail stations
- Bus stops

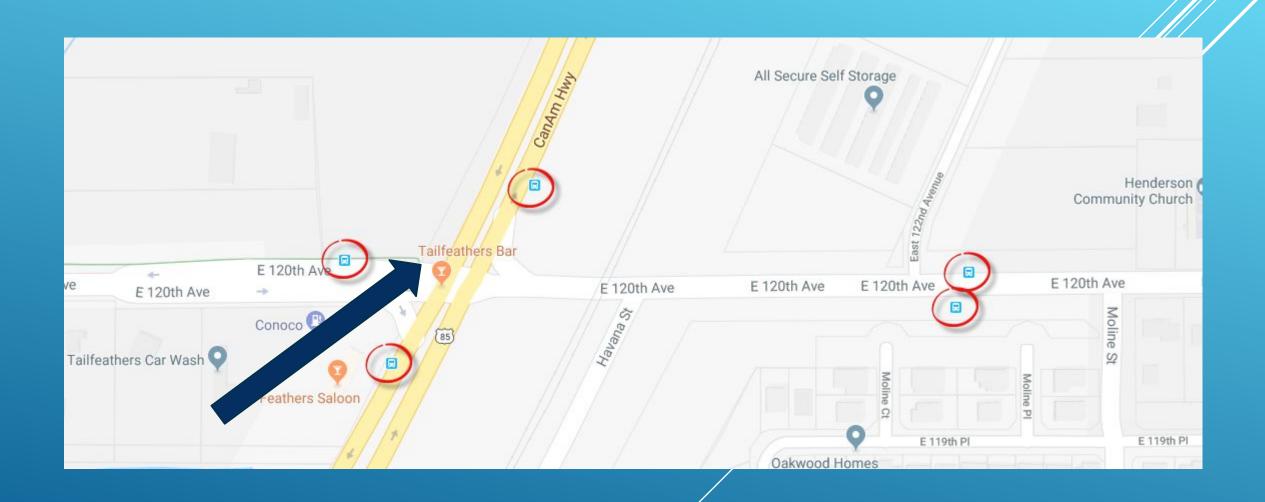


▶ Facilities Discussion Items

- ADAG vs PROAG, what do you follow
- ▶ Who Owns the City RoW?
- Attached vs detached sidewalk
- New development stops vs retrofitting in existing RoW
- Snow Removal
- How do you know there is an ADA barrier
 - Barrier removal form and survey
- ► RATS committee
- Bus stop manager
- Bus stop maintenance contract
- Bus external notifications for multiple routes
- Braille signage
- Mid-block stops vs signalized intersections
- Detours and temporary stops

Let's take a look at some bus stops.....



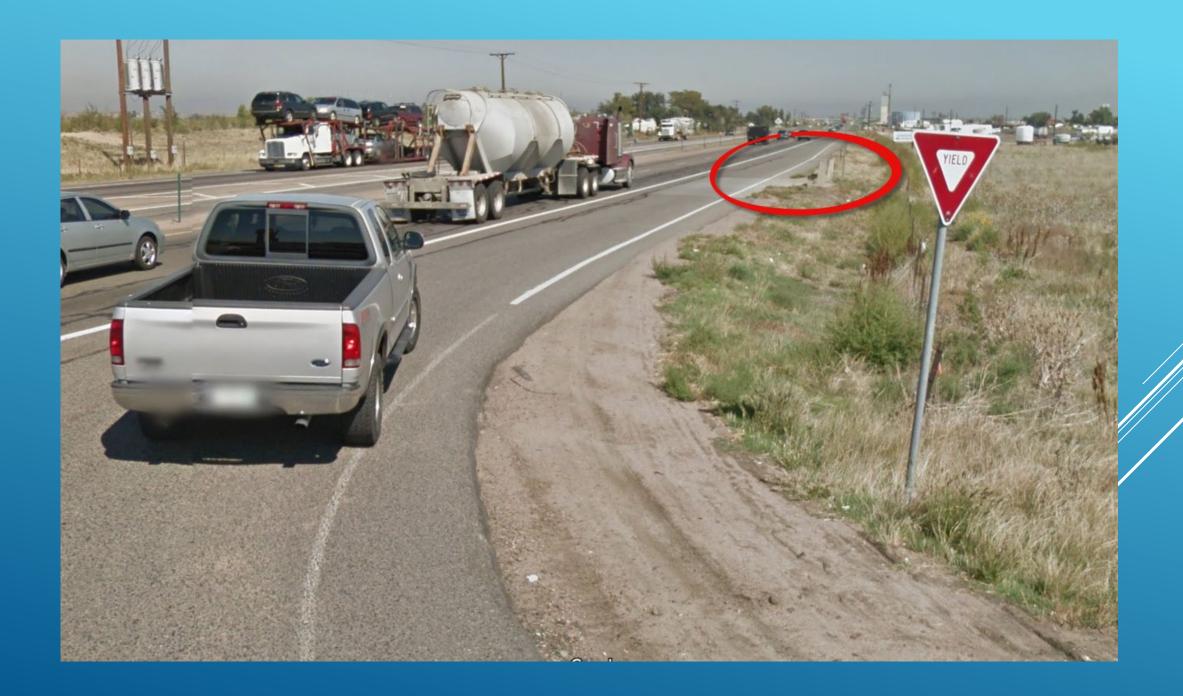
























FTA Q & A

Are transit providers required to make information regarding transportation services accessible for persons who are blind or have vision impairments?

Yes

Under Department of Transportation (DOT) Americans with Disabilities Act (ADA) regulations at 49 C.F.R. Section 37.167(f), a transportation entity must make communications and information available, using accessible formats and technology (e.g., Braille, large print, TDDs) to obtain information about transportation services. Someone cannot adequately use the bus system if schedule and route information is not available in a form he or she can use. A lack of adequate information in accessible formats for fixed route service may lead to an over-reliance on paratransit service, and a lack of adequate accessible information on paratransit services could constitute a prohibited capacity constraint.

Are bus operators required to assist persons with disabilities?

YES.

UNDER DEPARTMENT OF TRANSPORTATION (DOT) AMERICANS WITH DISABILITIES ACT (ADA) REGULATIONS AT 49 C.F.R. SECTION 37.165(F), TRANSIT ENTITY PERSONNEL MUST ASSIST INDIVIDUALS WITH DISABILITIES WITH THE USE OF RAMPS, LIFTS, AND SECUREMENT SYSTEMS. IF IT IS NECESSARY FOR THE PERSONNEL TO LEAVE THEIR SEATS TO PROVIDE THIS ASSISTANCE, THEY MUST DO SO, EVEN IF THE ENTITY'S DRIVERS TRADITIONALLY DO NOT LEAVE THEIR SEATS (E.G., BECAUSE OF LABOR-MANAGEMENT AGREEMENTS OR COMPANY RULES). ON A VEHICLE WHICH USES A RAMP FOR ENTRY, THE DRIVER MAY HAVE TO ASSIST IN PUSHING A MANUAL WHEELCHAIR UP THE RAMP, PARTICULARLY IF THE RAMP SLOPE IS RELATIVELY STEEP. IN SUM, TRANSIT ENTITY PERSONNEL MUST ENSURE THAT A PASSENGER WITH A DISABILITY IS ABLE TO TAKE ADVANTAGE OF THE ACCESSIBILITY AND SAFETY FEATURES ON VEHICLES.

Are bus stops and other transportation facilities required to provide bench seating?

NO.

THE AMERICANS WITH DISABILITIES ACT (ADA) DOES NOT REQUIRE PUBLIC TRANSPORTATION ENTITIES TO INSTALL BENCH SEATING AT BUS STOPS OR AT TRANSPORTATION FACILITIES. HOWEVER, TRANSIT SYSTEMS MAY FIND IT BENEFICIAL TO PROVIDE SEATING, AS IT MAY ENABLE USE OF THE FIXED-ROUTE SYSTEM BY PERSONS WHOSE DISABILITIES PREVENT THEM FROM STANDING FOR EXTENDED PERIODS OF TIME, AND WHO MIGHT OTHERWISE BE DEPENDENT UPON PARATRANSIT SERVICE.

Are fixed route transit providers required to provide audible stop announcements?

YES

UNDER DEPARTMENT OF TRANSPORTATION (DOT) AMERICANS WITH DISABILITIES ACT (ADA) REGULATIONS AT 49 C.F.R. SECTION 37.167(B), THE MINIMUM REQUIREMENT FOR FIXED ROUTE STOP ANNOUNCEMENTS BY A TRANSIT PROVIDER IS THAT STOPS BE ANNOUNCED (BY PERSONNEL OR A RECORDING SYSTEM) AT LEAST AT TRANSFER POINTS WITH OTHER FIXED ROUTES, OTHER MAJOR INTERSECTIONS AND DESTINATION POINTS, AND INTERVALS ALONG A ROUTE SUFFICIENT TO PERMIT INDIVIDUALS WITH VISUAL IMPAIRMENTS OR OTHER DISABILITIES TO BE ORIENTED TO THEIR LOCATION. FURTHER, THE TRANSIT PERSONNEL MUST ANNOUNCE ANY STOP UPON REQUEST OF AN INDIVIDUAL WITH A DISABILITY.

Are transit providers required to allow a passenger to travel with a comfort animal?

No.

Under Department of Transportation (DOT) Americans with Disabilities Act (ADA) regulations at 49 C.F.R. Section 37.167(d), transit entities are only required to allow service animals to accompany individuals with disabilities in vehicles and facilities. DOT ADA regulations at 49 C.F.R. Section 37.3 define a service animal as an animal "individually trained to work or perform tasks for an individual with a disability." If an animal's only function is to provide emotional support or comfort for the rider, that animal would not fall under the regulatory training-based definition of a service animal. Simply providing comfort is something that animal does passively, by its nature or through the perception of the owner. However, the ADA does not prohibit a transit agency from choosing to accommodate pets and comfort animals, which would be a local decision.









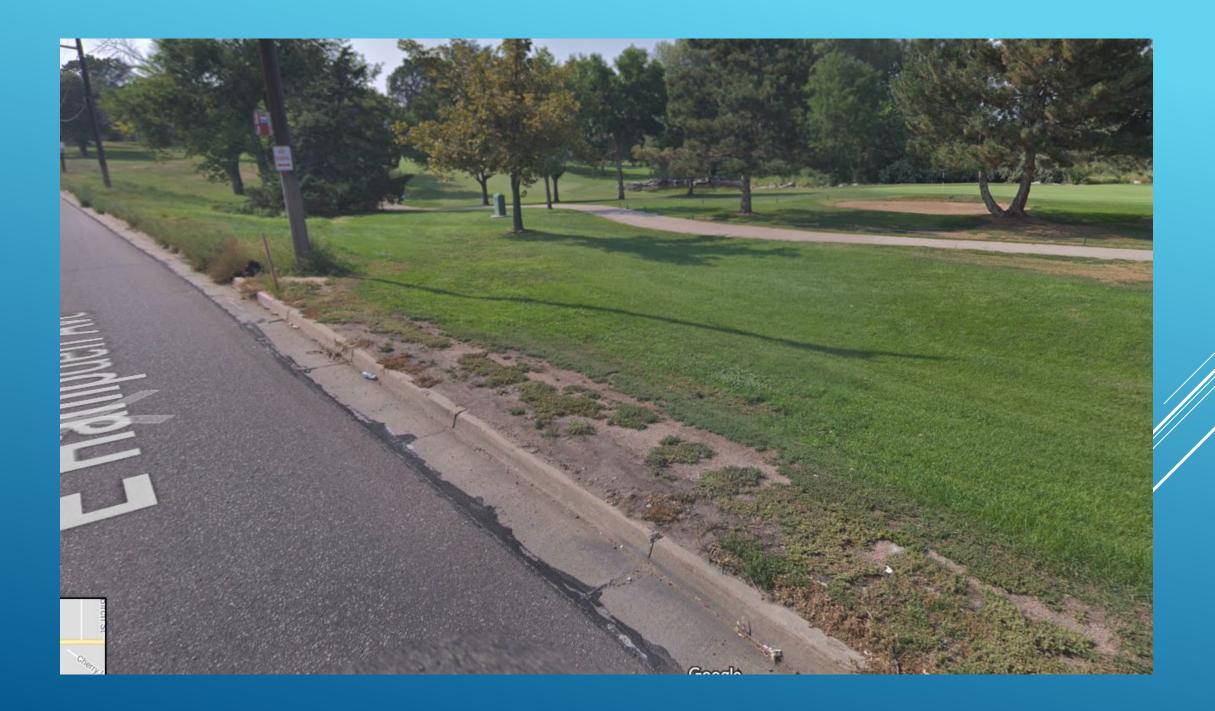


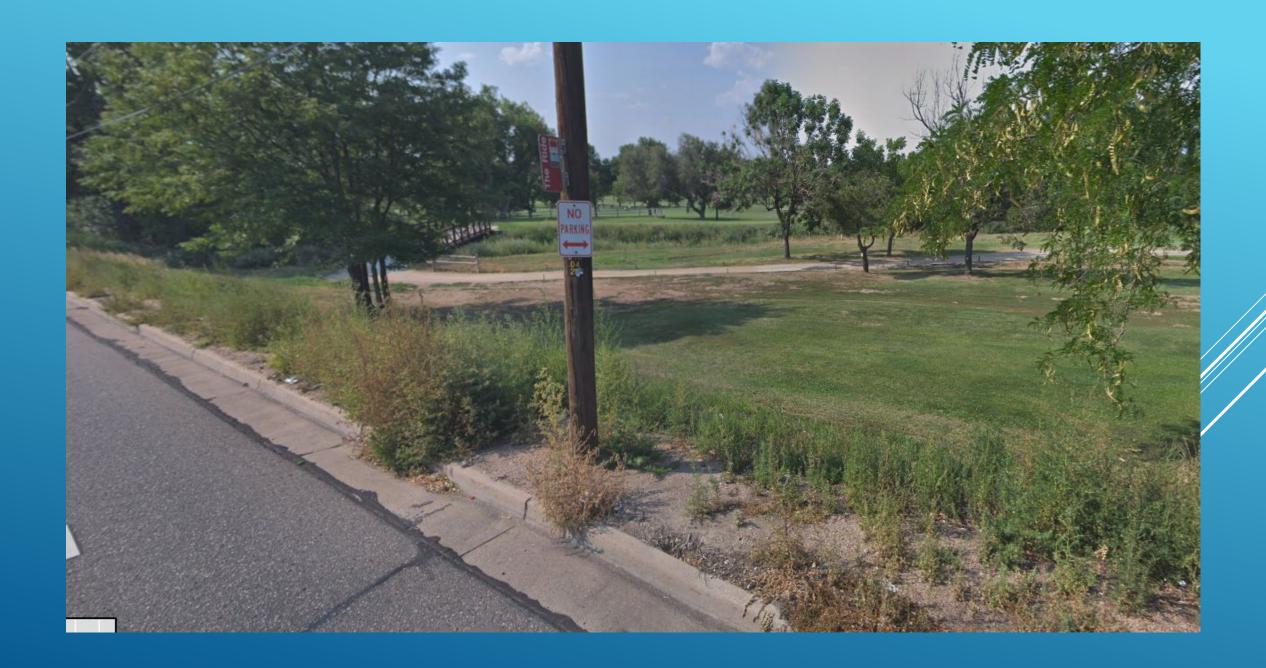








































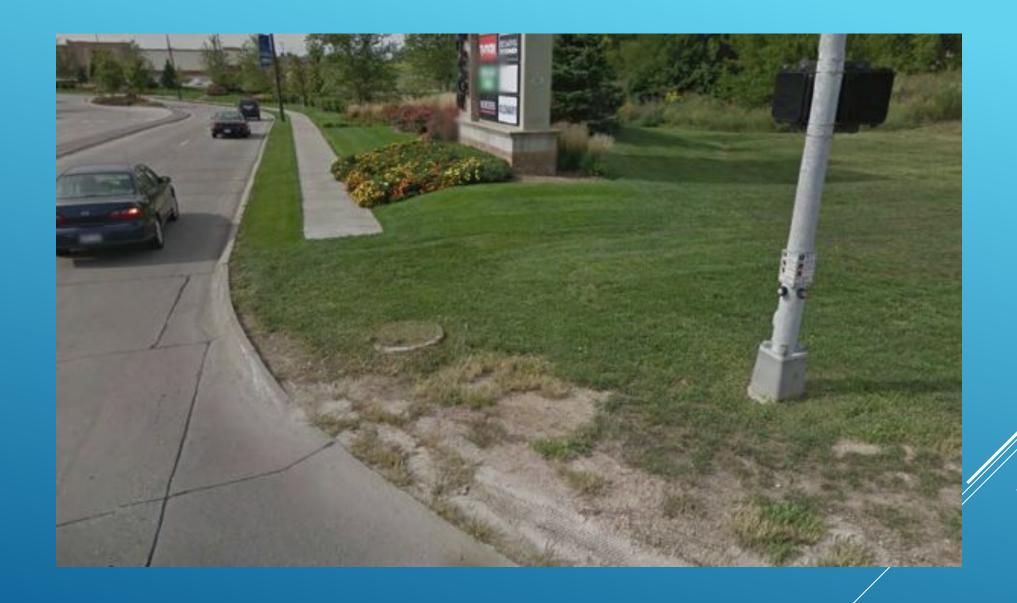






Other Facilities in the Pedestrian Environment...

What role(s) do they play???



What do you see? Issues?

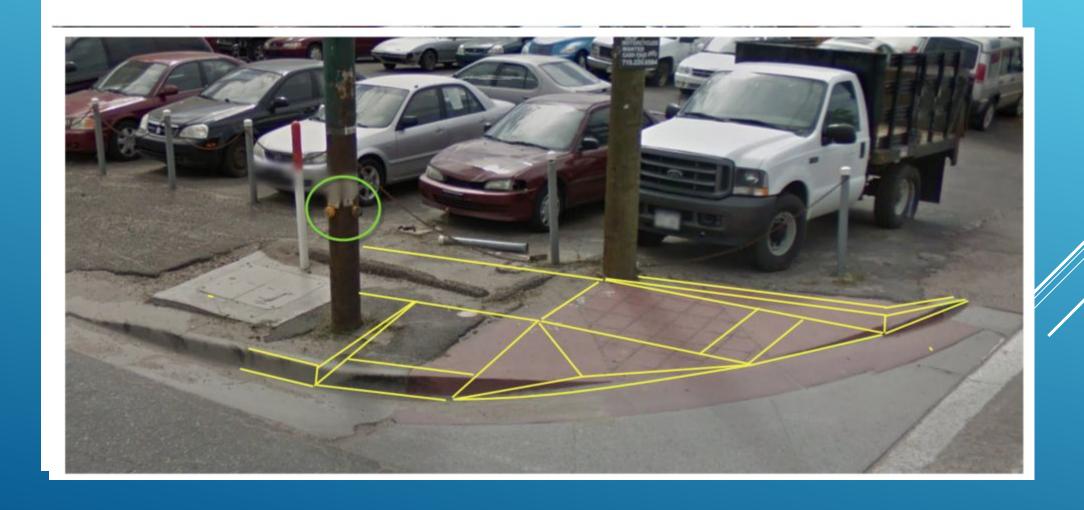




Is this "Accessible"?



Thoughts?



Pushbutton Placement



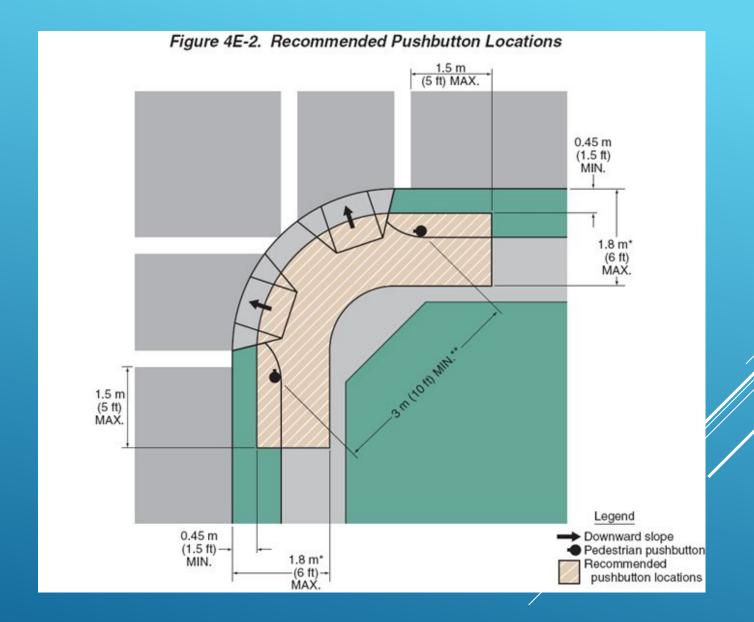


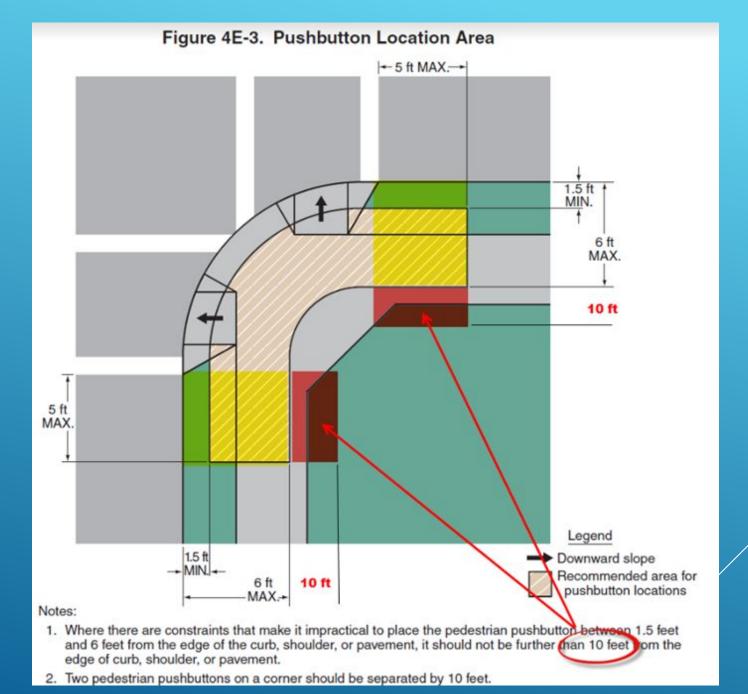


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Pushbutton Placement Manual on Uniform Traffic Control
Devices (MUTCD) for Streets and
Highways

- MUTCD Chapter 4E
- -See also PROWAG Section R403
- Must provide an accessible route between the ramps and the push button
- •Should be located between 1.5 and 6 feet from the edge of curb, shoulder, or pavement





Thank you...

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