

Providing Curb Ramps

- Title II of the Americans with Disabilities Act (ADA) requires that state and local governments ensure that persons with disabilities have access to the pedestrian routes in the public right of way.
- Whenever streets, roadways, or highways are <u>altered</u>, we are obligated to provide curb ramps where street level pedestrian walkways cross curbs.
- The key word here is "altered".



Alterations vs. Maintenance

- Alteration is a change that affects or could affect the usability of all or part of a building or facility.
 - Includes overlays of additional material to the road surface, without milling.
- Maintenance is a treatment that serves solely to seal and protect the road surface, improve friction, and control splash and spray.
 - Includes treatments that do not significantly affect the public's access to or usability of the road.







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Alterations vs. Maintenance

Alteration

- Open-Grade Surface Course
- Mill and Fill, Mill and Overlay
- Hot-in-Place Recycling
- Microsurfacing, Thin-Lift Overlay
- Addition of New Layer of Asphalt
- Asphalt and Concrete Rehabilitation and Reconstruction
- New Construction

Maintenance

- Crack Sealing and Filling
- Surface Sealing
- Chip Seal
- Slurry Seal
- Fog Seal
- Scrub Seal
- Joint-Crack Seal
- Joint Repair
- Dowl Bar Retrofit
- Spot High-Friction Treatment
- Diamond Grinding
- Pavement Patch



IDM Figure 51-1D

Alterations vs. Maintenance

412-3.01(04) Americans with Disabilities Act (ADA) [Rev. Mar. 2021]

- Preventive Maintenance Project. Flexible and rigid overlays are considered alterations in accordance with the Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the ADA. When an overlay is included in a Preventive Maintenance project, ADA-compliant curb ramps must be included in the scope of work. A Determination of Technical Infeasibility is required for curb ramps which cannot be constructed compliantly due to an existing constraint. See Section 40-8.04.
- 2. <u>Rehabilitation Project</u>. For a Rehabilitation project, ADA requirements are evaluated with other Level One criteria.



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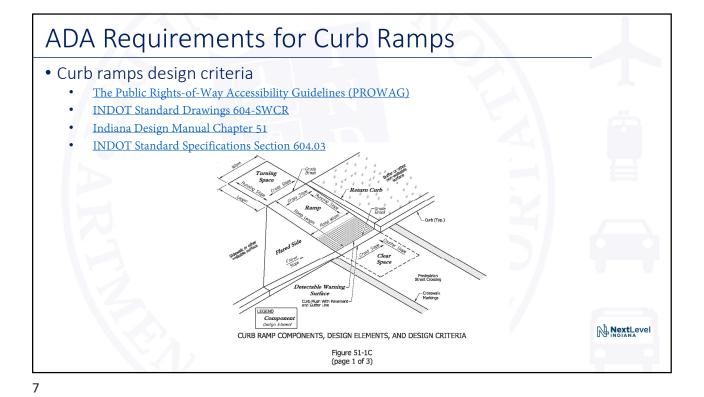
ADA Requirements for Curb Ramps

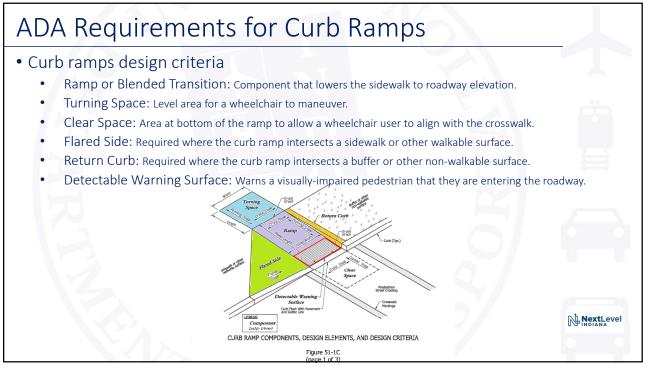
- When a curb ramp does not meet the current ADA Standards, the curb ramp must be updated to meet the current ADA Standards.
- This includes locations where no ramp currently exists & locations where an existing ramp does not meet current ADA Standards.
- At the time of scoping, the public entity should identify whether the public entity owns sufficient right-of-way, and if not, seek to acquire the necessary right-of-way.

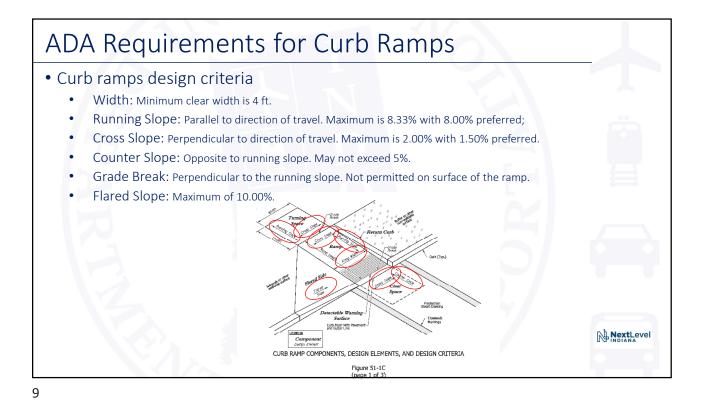




NextLevel







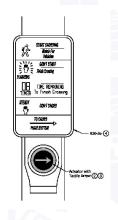
ADA Requirements for Curb Ramps

• Recommend reading Standard Drawing 604-SWCR-01 "General Notes"

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- An accessible pedestrian signal (APS) is a device that communicates information about the WALK and DON'T WALK intervals at signalized intersections in visual and non-visual format.
- APS will always be used, except in rare cases where there is a determination of technical infeasibility by INDOT's ADA Technical Advisory Committee.
- <u>Design Memo 20-20</u> covers changes in design procedures for pedestrian push buttons.





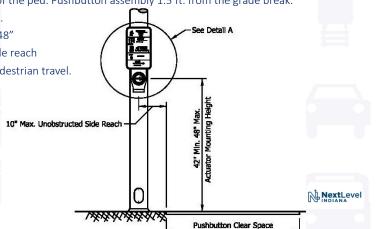


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Pedestrian Pushbutton Assembly

- Placement and configuration (<u>Standard Drawing 805-PPBA-01</u>):
 - Pushbutton Clear Space: Provided adjacent to ped. Pushbutton assembly; must be level
 - Placement: Outside back of sidewalk is preferred.
 - Grade Break: Offset the nearest face of the ped. Pushbutton assembly 1.5 ft. from the grade break.
 - Spacing: 2 assemblies spaced 10' apart.
 Mounting Height: Between 42" and 48"
 - Cil D
 - Side Reach: 10" max. unobstructed side reach
 - Orientation: Parallel to direction of pedestrian travel.
- Indiana Design Manual 502-3.03(02) Pedestrian Control



Pedestrian Maintenance of Traffic

- When crosswalks or other pedestrian facilities are closed or relocated, temporary facilities or detours must be provided.
- Pedestrian MOT options in order of preference (Tentative):
 - Sidewalk detour, around intersection
 - Sidewalk by-pass, outside the sidewalk
 - Sidewalk by-pass, within a buffer strip
 - Sidewalk detour, around the block
 - Sidewalk by-pass, onto road shoulder
 - Sidewalk by-pass, onto road lane (roadway capacity would need to be considered)
 - Short-term closure (in conjunction with USP)

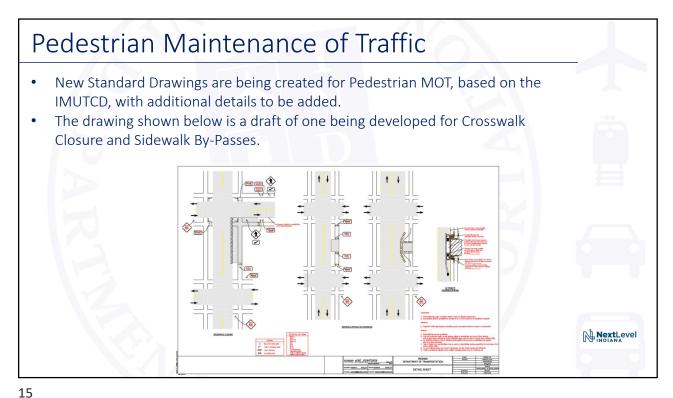


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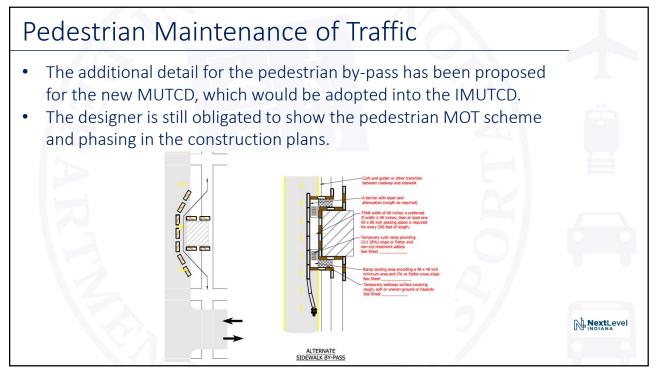
Pedestrian Maintenance of Traffic

- Pedestrian Maintenance of Traffic items are being added to the INDOT Qualified Products Lists (QPL) for:
 - Temporary Curb Ramp
 - Temporary Accessible Pedestrian Path
 - Temporary Pedestrian Channelizer
 - Audible Information Device
- Recurring Special Provisions, Pay Items, & Standard Drawings for these devices are being developed, finalized in mid-2022.
- Indiana Design Manual will be updated later with guidance on these devices.





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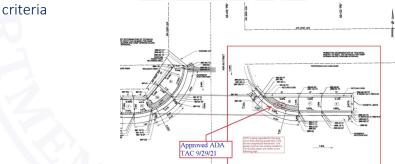
Sidewalk By-Pass Video:



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Technical Infeasibility or Inquiry

- An approved Determination of Technical Infeasibility or Inquiry must accompany each curb ramp that does not meet the PROWAG requirement.
- Examples of non-compliance:
 - Missing components, e.g. detectable warning surface or turning space
 - Design element falling outside of the minimum or maximum



NextLevel INDIANA

Technical Infeasibility or Inquiry

- Technical infeasibility: An element of the public access route (PAR)
 cannot fully comply due to an existing constraint that cannot be
 removed or adjusted.
 - These will be rare occurrences.
- Example of constraints (R 202.3.1):
 - Structural (Buildings)
 - Historic features (per 106 reviews)
- Alteration to be made to the maximum extent feasible.
 - Goal is to make the existing ramp better.



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Technical Infeasibility or Inquiry

- Technical inquiry: An existing physical constraint makes it impractical, within the scope of work, for an element of the public access route to fully comply.
- Example of constraints (R 202.3.1):
 - Underlying terrain
 - Right-of-way availability
 - Underground structures
 - Drainage
 - Natural or historic features
- Alteration to be made to the maximum extent feasible.
 - Goal is to make the existing ramp better.





Technical Infeasibility or Inquiry

- A request for determination of technical infeasibility or inquiry should be sent to the ADA Technical Advisory Committee (TAC).
- Procedure to submit as outlined in IDM 40-8.04(01) under ADA Compliance section.
- Send to: ADA@indot.in.gov





2/22/2022

