AMERICAN WITH DISABILITIES ACT
TRANSITION PLANS

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SCOH MEETING - NOVEMBER 13, 2016
Update: ADA Transition Plans

- FHWA established review team and evaluation process November 2015
  - 13 ADA Transition Plans reviewed
  - 5 estimated to be submitted by end of 2016
  - 14 ADA Transition Plans estimated in 2017
  - 2 in 2018

- As of November 10, 2016
  - 31 ADA Transition Plans accepted

- By Spring of 2018
  - Estimate 52 ADA Transition Plans accepted
FHWA Division Administrator and Civil Rights Specialist conduct initial review based on the “minimum attributes” review guide.

FHWA Division Administrator submits Transition Plan to HQ Office of Civil Rights.

FHWA HQ Office of Civil Rights convenes Transition Plan Review Team to evaluate the plan.

Review Team meets with FHWA Division Administrator and Civil Rights Specialist via conference call to discuss the Review Team’s comments.

FHWA Division Administrator and Civil Rights Specialist meet with State DOT to discuss determination.
ADA Transition Plans: Minimum Attributes

- **Official Responsible** - Identify Official responsible for Implementation of the Transition Plan (i.e., Executive Director, Secretary, Commissioner, Chief Engineer)

- **Inventory of Physical Barriers** - Identifying intersection information, including curb ramps and other associated accessibility elements, as a starting point and commitment toward developing a full inventory.

- **Schedule** - Commitment toward upgrading ADA elements identified in the inventory of barriers.

- **Method(s)** – Description of methods that will be used to make the facilities accessible.
UPDATE: ADA Transition Plans
As of November 10, 2016

States with Transition Plans - 31
States with Transition Plans in Development - 15
States with Transition Plans under Review or that will resubmit for re-evaluation --- 6
How many persons are affected by accessibility in the United States?

- **2010 Census**
  - 21 percent (or approximately 52 million) of US population over the age 15 has a disability
  - 7.5 million have hearing disabilities
  - 8 million have vision disabilities

- **National Council on Disabilities**
  - Estimate 70 percent of our country’s population will eventually have a temporary or permanent disability that makes climbing stairs impossible
  - In addition, thousands of men and women are coming home from conflicts with a variety of disabilities
Access Board Guidance Under Development

- New guidance for public rights-of-way
  - Will cover pedestrian access to: Sidewalks and streets, crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way
- Objective is to ensure that same degree of access, connection, and safety afforded to the public generally is available to pedestrians with disabilities
Role of State DOTs: Local Public Agencies ADA/Section 504

- FHWA’s November 12, 2015 memo defines the ADA transition plan review process and minimum attributes of a transition plan.
- In response, State DOTs have made great strides in developing and updating their transition plans.
- Memo’s primary focus is the State DOTs requirement under ADA/Section 504.
- As State DOTs have worked on their ADA transition plans, State DOTs have requested guidance on their role for ensuring LPAs compliance with ADA transition plan obligations.
FHWA is developing guidance related to the State DOTs responsibilities for ensuring LPAs are complying with ADA/Section 504.

Because FHWA shares ADA enforcement authority with Department of Justice, FHWA will coordinate guidance with DOJ.

Timeline for guidance, six to twelve months, potentially longer.

Until guidance is issued, FHWA appreciates any assistance State DOTs can offer LPAs with self-evaluations and transition plan compliance.
Questions