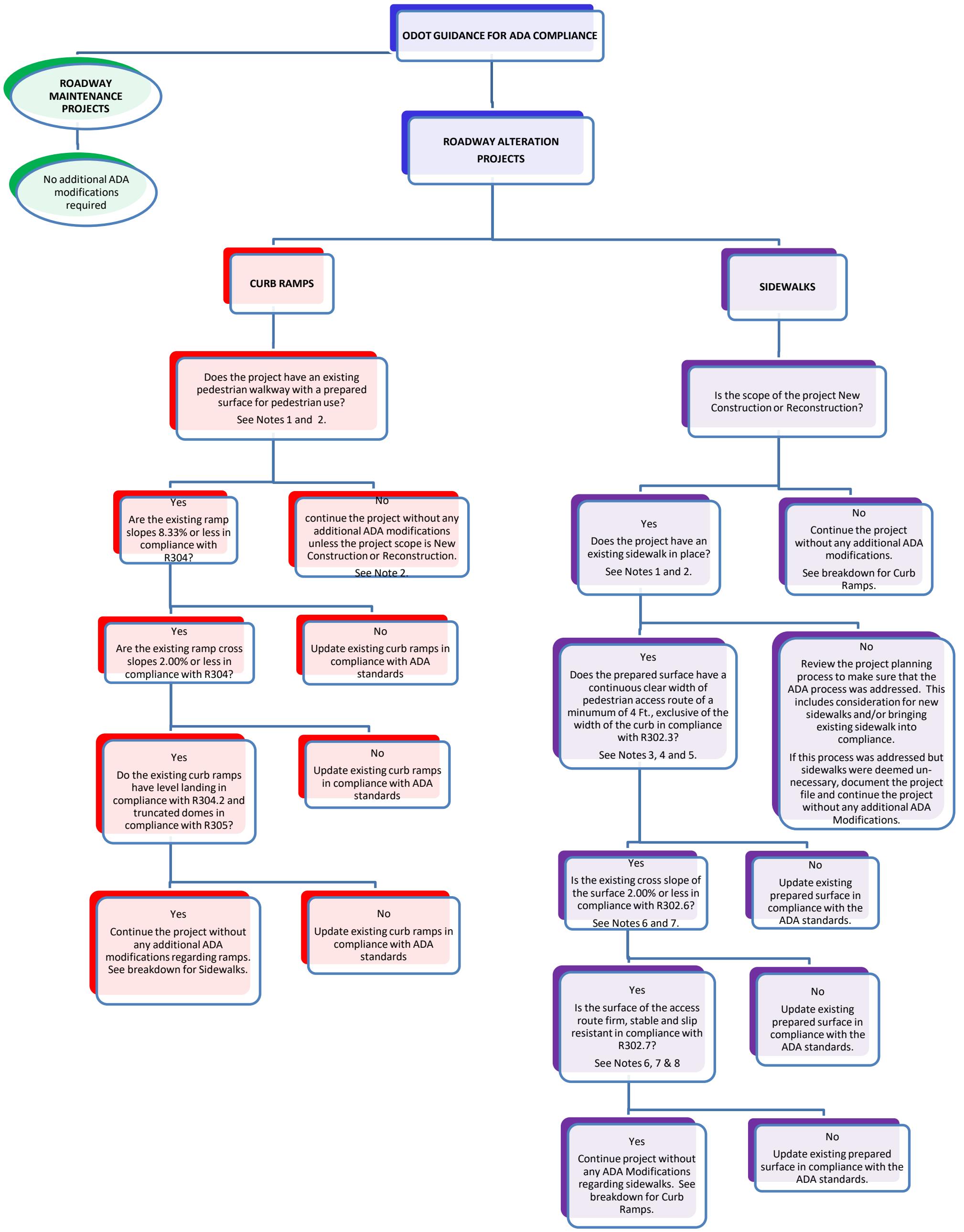


## Appendix D: Federal Funding Recipient Guidance

- Maintenance versus Alterations Guidance for ADA Compliance
- Traffic Signal Guidance for ADA Compliance
- ADA Checklist for Recipients



1. Prepared surface for pedestrian use could be considered as sidewalks, curb ramps, ramps, landings for Pedestrian Signals/buttons and/or crosswalks.
2. Curb ramps are needed wherever a sidewalk or other pedestrian walkway crosses a curb. The ADA does not require installation of curb ramps in the absence of a pedestrian walkway with a prepared surface for pedestrian use. Nor are curb ramps required in the absence of a curb, elevations or other barrier between the street and the walkway.  
  
New Construction, Reconstruction and Alterations in the crosswalk require the existing curb ramps and/or non-compliant curb ramps to be addressed or installed. This should be addressed within the project planning process to make sure that the ADA process was addressed. Whether we add this to the scope of the project or we work with the municipality toward compliance which could include adding to their transition plan.  
  
Installing crosswalks do not trigger installing sidewalks unless the project includes adding curb ramps that will tie into a non-compliant sidewalk that would further cause non-compliance. In this case, sidewalks must be addressed, whether we add this to the scope of the project or we work with the municipality toward compliance which could include adding to their transition plan. Sidewalks should be addressed within the project planning process to make sure that the ADA process was addressed. This includes consideration for new sidewalks and/or bringing existing sidewalk into compliance. If this process was addressed but sidewalks were deemed unnecessary, document the project file and continue the project without any additional ADA Modifications.
3. Additional maneuvering space should be provided at turns or changes in direction, transit stops, recesses and alcoves, building entrances, and along curved or angled routes, particularly where the grade exceeds 5%.
4. Where the clear width of pedestrian access route is less than 5 Ft., passing space shall be provided at intervals of 200.0 Ft. maximum. Passing space shall be 5.0 ft. minimum by 5.0 ft. minimum. These spaces may overlap pedestrian access routes.
5. Where pedestrian access routes are contained within a street or highway right-of-way, the grade of pedestrian access routes shall not exceed the general grade established for the adjacent street or highway. Where pedestrian access routes are not contained within a street or highway right-of-way, the grade of pedestrian access routes shall be 5% maximum.
6. Where pedestrian access routes are contained within pedestrian street crossings without yield or stop control, the cross slope of the pedestrian access route shall be 5% maximum. Where pedestrian access routes are contained within midblock pedestrian street crossings, the cross slope of the pedestrian access route shall be permitted to equal the street or highway grade.
7. All grade breaks shall be flush. Where pedestrian access routes cross rails at grade, the pedestrian access route surface shall be level and flush with the top of the rail at the outer edges of the rails, and the surface between the rails shall be aligned with the top of the rail.
8. Vertical surface discontinuities shall be 0.5 inches maximum. Discontinuities between 0.25 inches and 0.5 inches shall be beveled with a slope not steeper than 50%. The bevel shall be applied across the entire vertical surface discontinuity.

**Alterations vs. Maintenance**

<b><u>Roadway Maintenance</u></b>	<b><u>Roadway Alterations</u></b>
Crack Filling and Sealing Surface Sealing Chip Seals Slurry Seals Fog Seals Scrub Sealing Joint Crack Seals Joint repairs Dowel Bar Retrofit Spot High-Friction Treatments Diamond Grinding Pavement Patching Re-striping	Open-graded Surface Course Cape Seals Mill & Fill / Mill & Overlay Hot In-Place Recycling Microsurfacing/Thin Lift Overlay Addition of New Layer of Asphalt Concrete Pavement Rehabilitation & Reconstruction New Construction New striping New Crosswalks

- Maintenance applications do not require curb ramp / sidewalk installation at the time of the improvement.
- Multiple Maintenance applications occurring at or near the same time may qualify as an alteration and would trigger the obligation to provide curb ramps. This determination
- Alterations require the installation of curb ramps and may trigger sidewalk alterations or installations.

<b><u>Alteration Type</u></b>	<b><u>Address Ramps</u></b>	<b><u>Address Sidewalks</u></b>
Addition of a new layer of asphalt	Yes	No
Cape Seals (combo of chip / slurry)	Yes	No
Hot In Place Recycling (HIPR)	Yes	No
Microsurfacing / Thin-lift overlay	Yes	No
Mill & Fill / Mill & Overlay	Yes	No
Reconstruction	Yes	Yes
New Construction	Yes	Yes

- **The extent of the work depends on the scope of the project. If projects are combined to include a maintenance function and an alteration function, such as sidewalk related work with a Mill & Fill, keep in mind that with any alteration work the project must be addressed as an alteration function and must comply.**
- **Each project should be addressed on a case by case basis and all ADA considerations should be addressed in the planning phase of the project.**

## Traffic Signal Guidance for ADA Compliance

The ADA does not require Accessible Pedestrian Signals (APS) or pedestrian pushbuttons to be installed. However, installation of the APS or push buttons needs to be addressed in the planning process for the project. If APS or push buttons are to be installed or are existing, they must comply with the latest editions of the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) and the Manual on Uniform Traffic Control Devices (MUTCD).

### Curb Ramps

Whether pedestrian elements are existing or being installation ODOT must ensure there are no physical barriers. Therefore, curb ramps with turning spaces must be installed where a prepared pedestrian surface crosses a curb. Installation of curb ramps should be addressed within the project planning process to make sure ADA requirements are addressed. If the project intersection is within a rural area where there is no pedestrian activity and no existing pedestrian facilities (curb ramps or sidewalks) and an APS or pushbutton is not necessary, adequate procedures should be followed so that a note is made in the project file and the project location added into the ADA Transition Plan to be re-evaluated at a later date.

### Sidewalks

Installing a traffic signal does not trigger the installation of sidewalks unless the project includes adding curb ramps that will tie into a non-compliant sidewalk, causing further non-compliance. In this case, sidewalks must be addressed either by adding the sidewalks to the scope of the project or working with the municipality toward compliance, which could include adding the additional sidewalk work to the municipality's Transition Plan. Sidewalks should be addressed within the project planning process to make sure ADA requirements are addressed. This includes consideration for new sidewalks and/or bringing existing sidewalk into compliance. If sidewalks are deemed unnecessary, provide documentation in the project file and continue the project without any sidewalk modifications.

Below are select sections from PROWAG for reference:

**R209.1 General.** Where pedestrian signals are provided at pedestrian street crossings, they shall include accessible pedestrian signals and pedestrian pushbuttons complying with Sections 4E.08 through 4E.13 of the MUTCD (incorporated by reference, see R104.2). Operable parts shall comply with R403.

**209.2 Alterations.** Existing pedestrian signals shall comply with R209.1 when the signal controller and software are altered, or the signal head is replaced.

**209.3 Protruding Objects.** Objects along or overhanging any portion of a pedestrian circulation path shall comply with R402 and shall not reduce the clear width required for pedestrian access routes.

**402.3 Post-Mounted Objects.** Where objects are mounted on free-standing posts or pylons and the objects are 2.25 ft. minimum and 6.7 ft. maximum above the finish surface, the objects shall overhang pedestrian circulation paths 4 in. maximum measured horizontally from the post or pylon base. The base dimension shall be 2.5 in. thick minimum. Where objects are mounted between posts or pylons and the clear distance between the posts or pylons is greater than 1.0 ft., the lowest edge of the object shall be 2.25 ft. maximum or 6.7 ft. minimum above the finish surface.

**406.3 Unobstructed Side Reach.** Where a clear space allows a parallel approach to an element and the side reach is unobstructed, the high side reach shall be 4.0 ft. maximum and the low side reach shall be 1.25 ft. minimum above the finish surface. An obstruction shall be permitted between the clear space and the element where the depth of the obstruction is 10 in. maximum.

**R404.2 Surfaces.** Surfaces of clear spaces shall comply with R302.7 and have a running slope shall be consistent with the grade of the adjacent pedestrian access route and cross slope of 2 percent maximum.

**404.3 Size.** Clear spaces shall be 2.5 ft. minimum by 4.0 ft. minimum.

**R306.2 Pedestrian Signal Phase Timing.** All pedestrian signal phase timing shall comply with section 4E.06 of the MUTCD (incorporated by reference, see R104.2) and shall be based on a pedestrian clearance time that is calculated using a pedestrian walking speed of 3.5 ft./sec. or less.

**R302.7 Surfaces.** The surfaces of pedestrian access routes and elements and spaces required to comply with R302.7 that connect to pedestrian access routes shall be firm, stable, and slip resistant and shall comply with R302.7.

**R302.7.1 Vertical Alignment.** Vertical alignment shall be generally planar within pedestrian access routes (including curb ramp runs, blended transitions, turning spaces, and gutter areas within pedestrian access routes) and surfaces at other elements and spaces required to comply with R302.7 that connect to pedestrian access routes. Grade breaks shall be flush. Where pedestrian access routes cross rails at grade, the pedestrian access route surface shall be level and flush with the top of rail at the outer edges of the rails, and the surface between the rails shall be aligned with the top of rail.

**R302.7.2 Vertical Surface Discontinuities.** Vertical surface discontinuities shall be 0.5 in. maximum. Vertical surface discontinuities between 0.25 in. and 0.5 in. shall be beveled with a slope not steeper than 50 percent. The bevel shall be applied across the entire vertical surface discontinuity.

**R302.7.3 Horizontal Openings.** Horizontal openings in gratings and joints shall not permit passage of a sphere more than 0.5 in. in diameter. Elongated openings in gratings shall be placed so that the long dimension is perpendicular to the dominant direction of travel.

**R302.7.4 Flangeway Gaps.** Flangeway gaps at pedestrian at-grade rail crossings shall be 2.5 in. maximum on non-freight rail track and 3 in. maximum on freight rail track.

# ADA Checklist for Recipients and Subrecipients

**ODOT ADA Coordinator:** Chris Thompson  
**Office contact number:** 405-521-4140  
**Cell contact number:** 405-490-0381

Done?	Required	Posted on Website	Frequency	Comments	Reference	Links
	Designated ADA Coordinator	Required	Always	Designated ADA Coordinator must be an employee of the entity. There may be more than 1 appointed.	28 CFR 35.107(a)  49 CFR 27.13(a)	<a href="http://www.ecfr.gov/cgi-bin/text-idx?SID=aecb4610c7a2e3b7fcb3fcebcb1738f2&amp;mc=true&amp;node=se28.1.35_1107&amp;rgn=div8">http://www.ecfr.gov/cgi-bin/text-idx?SID=aecb4610c7a2e3b7fcb3fcebcb1738f2&amp;mc=true&amp;node=se28.1.35_1107&amp;rgn=div8</a>  <a href="http://www.ecfr.gov/cgi-bin/text-idx?SID=9d2f341e5b4e709b69238efec8ea99f8&amp;mc=true&amp;node=se49.1.27_113&amp;rgn=div8">http://www.ecfr.gov/cgi-bin/text-idx?SID=9d2f341e5b4e709b69238efec8ea99f8&amp;mc=true&amp;node=se49.1.27_113&amp;rgn=div8</a>
	Self-Evaluation / Transition Plan	Required	Keep Updated	Once you have evaluated all programs, services, and activities, a plan for compliance must be derived and opened for public comment.	28 CFR 35.105  28 CFR 35.150(d)	<a href="http://www.ecfr.gov/cgi-bin/text-idx?SID=5349fd4308678c3fa9d119836ddf41a8&amp;mc=true&amp;node=se28.1.35_1105&amp;rgn=div8">http://www.ecfr.gov/cgi-bin/text-idx?SID=5349fd4308678c3fa9d119836ddf41a8&amp;mc=true&amp;node=se28.1.35_1105&amp;rgn=div8</a>  <a href="http://www.ecfr.gov/cgi-bin/text-idx?SID=5349fd4308678c3fa9d119836ddf41a8&amp;mc=true&amp;node=se28.1.35_1150&amp;rgn=div8">http://www.ecfr.gov/cgi-bin/text-idx?SID=5349fd4308678c3fa9d119836ddf41a8&amp;mc=true&amp;node=se28.1.35_1150&amp;rgn=div8</a>
	Notice of Non-Discrimination	Required	Keep Updated	Provide information regarding non-discrimination in all programs, services, and activities available to applicants, participants, beneficiaries, and other interested individuals. This includes a non-discrimination statement in anything that goes out to the public. Ex: Brochures, flyers, public meetings, etc...	28 CFR 35.106  49 CFR 27.15	<a href="http://www.ecfr.gov/cgi-bin/text-idx?SID=46a55f0b90b1f302605747af2418465e&amp;mc=true&amp;node=se28.1.35_1106&amp;rgn=div8">http://www.ecfr.gov/cgi-bin/text-idx?SID=46a55f0b90b1f302605747af2418465e&amp;mc=true&amp;node=se28.1.35_1106&amp;rgn=div8</a>  <a href="http://www.ecfr.gov/cgi-bin/text-idx?SID=46a55f0b90b1f302605747af2418465e&amp;mc=true&amp;node=se49.1.27_115&amp;rgn=div8">http://www.ecfr.gov/cgi-bin/text-idx?SID=46a55f0b90b1f302605747af2418465e&amp;mc=true&amp;node=se49.1.27_115&amp;rgn=div8</a>
	Complaint Procedures / Complaint Forms	Required	Keep Updated	Recipients must have a complaint procedure in place that shall also include the investigation process.	28 CFR 35.107(b)	<a href="http://www.ecfr.gov/cgi-bin/text-idx?SID=966f26ca2ff455f5a050877f6d196dd5&amp;mc=true&amp;node=se28.1.35_1107&amp;rgn=div8">http://www.ecfr.gov/cgi-bin/text-idx?SID=966f26ca2ff455f5a050877f6d196dd5&amp;mc=true&amp;node=se28.1.35_1107&amp;rgn=div8</a>
	Assurances	N/A	Yearly or in agreements / contracts	Usually assurances are taken care of during the agreement / contract approval phase of the project.	49 CFR 27.9	<a href="http://www.ecfr.gov/cgi-bin/text-idx?SID=966f26ca2ff455f5a050877f6d196dd5&amp;mc=true&amp;node=se49.1.27_19&amp;rgn=div8">http://www.ecfr.gov/cgi-bin/text-idx?SID=966f26ca2ff455f5a050877f6d196dd5&amp;mc=true&amp;node=se49.1.27_19&amp;rgn=div8</a>
	Sub-Recipient Guidance	Not Required	Always	As a Recipient who passes down federal funds, you shall provide guidance to your sub-recipients who received the federal funding. This may include training and/or providing helpful information.	28 CFR  49 CFR	<a href="http://www.ecfr.gov/cgi-bin/text-idx?SID=966f26ca2ff455f5a050877f6d196dd5&amp;mc=true&amp;tpl=/ecfrbrowse/Title28/28tab_02.tpl">http://www.ecfr.gov/cgi-bin/text-idx?SID=966f26ca2ff455f5a050877f6d196dd5&amp;mc=true&amp;tpl=/ecfrbrowse/Title28/28tab_02.tpl</a>  <a href="http://www.ecfr.gov/cgi-bin/text-idx?qp=&amp;SID=966f26ca2ff455f5a050877f6d196dd5&amp;mc=true&amp;tpl=/ecfrbrowse/Title49/49tab_02.tpl">http://www.ecfr.gov/cgi-bin/text-idx?qp=&amp;SID=966f26ca2ff455f5a050877f6d196dd5&amp;mc=true&amp;tpl=/ecfrbrowse/Title49/49tab_02.tpl</a>

You can use this checklist to help you keep track of tasks that you need to complete.

This checklist is for guidance only.

The Oklahoma Department of Transportation has a responsibility, under Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act, to ensure its services, facilities and Public Rights-of-Way are readily accessible to and useable by individuals with disabilities to the fullest extent possible.

The Americans with Disabilities Act (ADA) prohibits Discrimination on the basis of disability. ODOT will ensure that qualified individuals shall not, solely on the basis of their disability, be excluded from participation in, denied the benefits of, or subjected to discrimination under any of its programs, services or activities as provided by section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA)

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, subrecipients, and contractors.

