**Americans with Disabilities Act (ADA) Transition Plan**

**ADA DRAFT TRANSITION PLAN**

The New York State Department of Transportation’s (NYSDOT) ADA Transition Plan, prepared by NYSDOT Policy and Planning Division, details information about the condition of the NYSDOT’s pedestrian network and the next steps under the ADA of 1990 to make all NYSDOT facilities accessible by individuals with disabilities.

What’s included in the Transition Plan?

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**Introduction**

ADA regulations prohibit discrimination against individuals on the basis of disability and require State and local governments to make their programs and services accessible to persons with disabilities. These requirements focus on providing accessibility by addressing and eliminating structural barriers associated with public facilities.

NYSDOT has made substantial progress toward full compliance with ADA accessibility requirements. Program guidance and goals were developed in the early 1990s with the specific intent to provide direction in developing and constructing projects that addressed known deficiencies at that time. As of March 2010, 81 percent of NYSDOT sidewalks (1,548 of 1,918 miles) are compliant with ADA standards.

Table 1 ([https://www.nysdot.gov/programs/adamanagement/repository/ADA_Compliance_Summary.htm](https://www.nysdot.gov/programs/adamanagement/repository/ADA_Compliance_Summary.htm)) summarizes sidewalk compliance progress to date, with details for each county served by each NYSDOT Region.

The NYSDOT Highway Design Manual ([https://www.nysdot.gov/divisions/engineering/design/dqab/hdm](https://www.nysdot.gov/divisions/engineering/design/dqab/hdm)) contains pedestrian facility design guidance in Chapter 18. The guidance has been updated frequently. As of August 2010, the current revision is number 49, dated March 30, 2006, and has 82 pages (the PDF download file size is 1.5 mb). Section 6.1 of Chapter 18 "Pedestrian Facility Design under the Americans with Disabilities Act (ADA)" at page 18-14 of the printed document (which is page 20 of the Adobe Acrobat Reader document) directly addresses ADA. Sections 18-1 "Introduction", 18-2 "Chapter Objectives" and 18-3 "Policy" -- at page 18-1 of the printed document (which is page 7 of the Adobe Acrobat Reader document) -- provide the broad policy framework within which ADA compliance is accomplished by NYSDOT. In March 2008 memorandum to Regional Directors, NYSDOT’s Commissioner stated that "Compliance with Federal Americans with Disabilities Act requirements is a priority for the Department. Sidewalks, curb ramps and crosswalks on the State Highway system that do not comply with the Act and related federal regulations must be brought into compliance on an expedited basis, and in no case
later than March 2019.” By September 1, 2009, Regions were required to "refine ADA needs, locations, extents and compliance costs for use in programming additional American Recovery and Reinvestment Act (ARRA) projects and developing subsequent five year programs."

As a State transportation agency, NYSDOT under ADA is responsible for pedestrian facilities on State owned roads; for its programs and services to the public; and must have an ADA Transition Plan that:

- Identifies barriers on State-owned roads, related facilities and NYSDOT offices that restrict accessibility to programs, services and activities by individuals with various disabilities;
- Identifies accommodations and/or modifications that can be provided to make programs and services accessible; and
- Evaluates the effectiveness of the accommodations or modifications in providing accessibility.

An inventory and evaluation has been undertaken to identify noncompliant facilities. This ADA Transition Plan documents facilities that must be modified or improved to ensure compliance with ADA regulations.

ADA regulations also require the ADA Transition Plan to "identify the official responsible for implementation" of modifications or improvements that address and eliminate structural barriers associated with use of public facilities and thereby fully achieve the ADA accessibility compliance. NYSDOT has identified the Regional Directors (https://www.nysdot.gov/regional-offices) to be responsible for ADA Transition Plan implementation. The Regional Directors will be conducting this role under the guidance of NYSDOT’s Office of Civil Rights.

**ADA Transition Plan - Facilities – Methods & Schedule**

**Sidewalks**

ADA regulations require that the ADA Transition Plan must "identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities."

In the summer of 2008, NYSDOT completed an initial statewide ADA data collection effort as part of its ADA Transition Plan and also to meet ADA requirements. This was the first statewide inventory of pedestrian facilities and data concerning ADA-related noncompliant sidewalks, crosswalks and curb ramps. This initial inventory was created by searching and visually checking the NYSDOT’s VISIDATA digital photolog files and other resources for more than 15,000 miles of State Highway to identify noncompliant sidewalks and intersections.

The following are the ratings and definitions utilized to assess the condition of each sidewalk, curb ramp or crosswalk feature:

- **Rating 1** - Not Applicable: A facility not considered to require accessibility, for example, limited-access highways.
- **Rating 2** - Not Accessible: Significant discontinuity such as steps, no ramps, more than 100 feet of unpaved walkway, heaving, vertical displacement, other severe distress, flooding, etc.
- **Rating 3** - Partially Accessible: Not designed to current standards, problems with geometry of sidewalks, ramps and landings, no detectable warnings, handrails, etc.
- **Rating 4** - Accessible: May need additional improvements, for example circuitous routes, insufficient width, etc.
- **Rating 5** - Fully Accessible: Designed to current standards, reasonable accommodations may still be required for individual cases.
The primary focus of this ADA Transition Plan is to address all ADA noncompliant facilities defined as those locations that have a rating of 2 and 3 as defined above. See Appendix A (https://www.nysdot.gov/programs/adamanagement/ada-transition-plan/appendices) for examples of such noncompliant facilities. The next phase of the ADA Transition Plan will concentrate on developing a prioritized list of improvements that reflects input from the public, disabled community and other stakeholders.

For each NYSDOT Region, a report of sidewalks and intersections not yet modified or improved to fully comply with ADA has been created from the Summer 2008 digital photolog search and is available on this web site to facilitate public review. The reports in Appendix B (https://www.nysdot.gov/programs/adamanagement/ada-transition-plan/appendices) identify sidewalk segments that limit accessibility for individuals with disabilities and intersections with curb ramp or crosswalk issues. The reports list the information by county and within each county, by route number and by beginning and ending names of the street segments. Additional information about each feature that documents the reasons why a certain segment is rated noncompliant is available upon request at the Regional Offices (https://www.nysdot.gov/regional-offices/main-office/all-reg). This information may include items such as length of segment, locations of issues within an intersection, and points of interest information. Many of the identified noncompliant facilities can be fixed via maintenance projects. The issues that inhibit accessibility range from erosion, encroaching shrubs and branches, poles that reduce the width of the sidewalk or unpaved areas that prevent a disabled person from using the sidewalk.

Plan and Schedule for Improvements

During September 2009, each NYSDOT Regional Office submitted preliminary analysis of the location and extent of sidewalk, crosswalk and ramp barriers to accessibility. These offices also estimated the costs of addressing all of the modifications and improvements needed to assure ADA accessibility. Statewide this cost is about $250 million (2009 $ uninflated). Based on review of these plans, NYSDOT expects to be in compliance with the ADA regulations by March 2019.

The necessary improvements will be scheduled as part of existing highway capital projects; as stand-alone sidewalk, crosswalk and curb ramp repair, rehabilitation and reconstruction; or by cities towns, villages, counties and authorities performing sidewalk and curb ramp corrective maintenance on NYSDOT-owned facilities pursuant to applicable statutes, project-level agreements and intergovernmental highway maintenance contracts.

Rest Areas

For a number of years, NYSDOT staff has conducted Quality Assurance (QA) surveys of rest areas to evaluate rest area conditions from a customer service perspective. ADA compliance has been addressed in several elements of the survey form. The surveys confirm a general assessment that modern facilities are ADA-compliant and that the older facilities often have structural barriers. Some of the noted structural barriers are readily resolved by recent maintenance attention and may have been resolved by the time the survey forms were submitted and tabulated, while other structural barriers may require longer-term, engineered, expensive solutions. As a result of these and other data issues, details concerning specific structural barriers at individual rest areas are not reported at this time.

Plan and Schedule for Improvements

Rest areas on New York State's Interstate highway corridors provide services essential to the traveling public but many are more than 30 years old. Increasing traffic and public use has put stress on this infrastructure and aging facilities require expensive investments to keep them functioning.
A new rest area plan is being prepared to update the NYSDOT Rest Area Plan produced in 1998. The new rest area plan will be a strategic, corridor-based plan that defines appropriate and affordable levels of investment, employs new and evolving technologies and utilizes private truck stops in a cooperative effort to better serve the public.

The rest area corridor plans are in development and will be used as the basis for recommending projects to maximize overall functioning and condition of the rest area system. This may include complete reconstruction, new facilities or smaller priority capital needs; e.g., sewer improvements, facility upgrades, including upgrades that may allow for closure of other facilities, or a more optimum usage of facilities along a corridor.

Regional Offices give ADA-related maintenance a high priority. It is expected that most of the minor structural barriers can be addressed. Major ADA-related improvements will be scheduled as corridor plans and an overall strategy for capital improvements are developed.

Buildings

In 2009, NYSDOT staff conducted quality assurance surveys of the "public spaces" of NYSDOT-owned buildings to evaluate conditions from a public access perspective. These are primarily maintenance facilities - office buildings are owned or leased by the New York State Office of General Services (NYSOGS). ADA compliance has been addressed in several elements of the survey form, similar to the survey form for rest areas. The surveys confirm a general assessment that modern facilities are ADA compliant and that the older facilities often have structural barriers. Some of the noted structural barriers are readily resolved via immediate maintenance attention and may have been resolved by the time the survey forms were submitted and tabulated, while other structural barriers may require longer-term, engineered, expensive solutions. As a result of these and other data issues, details concerning specific structural barriers at individual buildings are not reported at this time.

Plan and Schedule for Improvements

NYSDOT buildings vary considerably in age and condition. Major improvements, or replacements, have been made on a site-by-site basis, generally with attention to the worst first, as funding becomes available. Regional Offices give ADA-related maintenance a high priority. Major ADA-related improvements will be scheduled as comprehensive facilities plans and an overall strategy for capital improvements are developed.

Park-and-Ride Lots

Completion of an inventory of NYSDOT owned park-and-ride lots is needed to conduct a formal assessment of ADA compliance. In conjunction with the statewide 511 New York Travel Information project, NYSDOT staff is developing a comprehensive inventory of park-and-ride lots in New York State, with a focus on sites served by transit.

In general, it is believed that all park-and-ride lots built since the enactment of ADA have been built in compliance with applicable standards. It is unknown at this time which older park-and-ride lots have had upgrades to accomplish ADA compliance.

Plan and Schedule for Improvements

A listing of ADA structural barriers and a plan and schedule for improvements will be made available upon completion of an inventory of NYSDOT owned park-and-ride lots.
ADA Transition Plan - Future Actions

1 - Developing a sidewalk and intersection geographic information system (GIS) mapping network

NYSDOT will develop GIS mapping capability to provide a visual depiction of the accessibility of sidewalks and intersections.

2 - Creating a plan for data maintenance

NYSDOT will develop an overall strategy for data maintenance and provide updates to the ADA Management and Transition plans in the future. Reports will be generated to monitor compliance progress and project accomplishments.

ADA Transition Plan - Conclusion

NYSDOT understands that successful usage of any transportation system requires accessible and adequate information about system assets. NYSDOT has created Regional ADA plans to address deficiencies and incorporate needs into existing or future projects. Bringing the existing State system into complete compliance and meeting new system needs will be challenging. The extensive database that catalogues and rates ADA noncompliant deficiencies will help refine NYSDOT's approach and focus efforts to meet ADA requirements effectively and efficiently. NYSDOT will continue updating the data for all sidewalks, ramps and crosswalks and addressing data gaps to complete the system and improve our information. The ongoing maintenance of ADA facilities by NYSDOT and local governments is also critical to upkeep and accessibility. The ADA Transition Plan will be updated on a periodic basis. Public participation throughout the planning process is encouraged via NYSDOT's Regional Offices (https://www.nysdot.gov/regional-offices/main-office/all-reg) and Metropolitan Planning Organizations (http://www.nysmpos.org/locations.html), where applicable.

For additional information about this Transition Plan, contact:

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Comments and suggestions regarding this ADA Transition Plan, the listings of structural barriers and NYSDOT public outreach are welcome at any time. Comments may be submitted to NYSDOT Regional Directors (https://www.nysdot.gov/divisions/engineering/regional-affairs), to NYSDOT Policy & Planning Division (adatp@dot.state.ny.us) or to NYSDOT Office of Civil Rights (ada@dot.state.ny.us).