

## Ignoring ADA Can Be Costly to Your Agency

By Lindsay Nathaniel, Colorado LTAP Training Coordinator

Spring is here, and along with it, construction season. This means it is time to re-visit some requirements under the American with Disabilities Act (ADA), as well as, some new recommendations. The ADA was signed into law on July 26, 1990, and was implemented to stop discrimination on the basis of disability in four areas: employment, public services and public transportation, public accommodations and commercial facilities, and telecommunications.

### Pre/Post-ADA

Roads that were built before January 26, 1992 are considered 'pre-ADA' and roads that were built after this date are considered 'post-ADA'. When pre-ADA streets are *altered*, the street must be updated to meet the ADA requirements. An *alteration* in this case is any change affecting the usability of a street. For example, resurfacing a roadway that is beyond the ordinary maintenance is considered an alteration, but fixing a pot hole would not be considered an alteration.

### Detectable Warnings

Curbs are a signal to people with visual impairments that the sidewalk is ending and the street is beginning. Curb ramps are necessary for people who have mobility impairments, but the removal of curbs can create some difficulties for people with visual impairments since curb ramps can be much harder to detect. In order to help people with visual impairments, it is necessary to have detectable warnings on the curb ramps.

The Draft Guidelines for Accessible Public Rights-of-Way recommend that agencies install 24 inches of truncated domes along the bottom of curb ramps. The smaller strip of truncated domes helps to give the visually impaired better cues as to where the street is and it does not interfere with the operation of wheelchairs.

The two feet of truncated domes should be installed:

- At the edge of depressed corners,
- At the border of raised crosswalks and raised intersections,
- At the border of medians and islands,
- At the edge of transit platforms and where railroad tracks cross the sidewalk.

### Curb Ramps

The ADA has five separate Titles, but Title II is the one that pertains to public agencies. Title II requires that public agencies provide curb ramps in order to make it possible for people with disabilities to cross from one side of the street to the other. How you accommodate this rule can vary depending on the age of the street.

The ADA standards require curb ramps to have a slope of 8.33 percent (1:12) or less, flared sides to have a maximum slope of 1:10, and a minimum width of 36 inches, exclusive of flared sides.

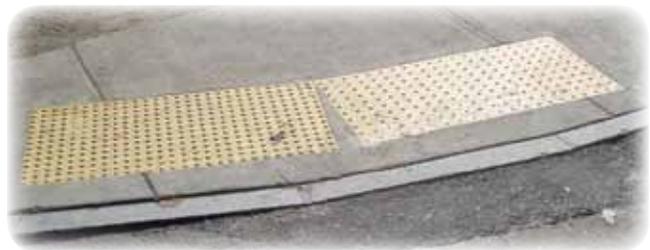
### Sidewalks

Sidewalks should be a minimum of 36 inches wide, and there should be 60 inches of passing area spaced periodically along the sidewalk. Forty-eight (48) inches is the minimum width needed for an ambulatory person to pass a non-ambulatory or semi-ambulatory person. Within this 48-inch width, the ambulatory person will have to twist to pass a wheelchair user, a person with a service animal, or a semi-ambulatory person.

Cross slopes are another important consideration of sidewalks. Cross slopes that are greater than 1:48 (2%) significantly hinder forward progress on an uphill slope and can decrease control and balance in downhill travel and on turns.

It's beneficial to a department to comply with ADA regulations. Not complying with ADA enforceable laws can be extremely expensive and time consuming for your agency.

*Reference: This article was republished with permission from CO LTAP Newsletter, Spring 2010. NH LTAP has made edits.*



*These truncated domes are not set correctly - they must span the curb cut width.*