



Chapter Eight  
Public Right-of-Way  
Accessibility Transition Plan

BUREAU OF LOCAL ROADS AND STREETS MANUAL



## Chapter Eight

# PUBLIC RIGHT-OF-WAY ACCESSIBILITY TRANSITION PLAN

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## Chapter Eight

# PUBLIC RIGHT-OF-WAY ACCESSIBILITY TRANSITION PLAN

### 8-1 PUBLIC RIGHT-OF-WAY ACCESSIBILITY TRANSITION PLAN

The Americans with Disabilities Act (ADA) is a civil rights statute that protects qualified individuals with disabilities from discrimination on the basis of disability. Title II of the ADA prohibits discrimination in all services, programs, and activities provided to persons with disabilities by State and local governments, including public transportation. The ADA applies to all facilities built before and after 1990. Local public agencies (LPA) are required to perform self-evaluations of their current facilities, relative to the accessibility requirements of the ADA. LPAs are required to correct any deficiencies identified through the self-evaluation. Only LPAs with more than 50 employees (including both full and part-time employees) are required to have a public right-of-way (PROW) accessibility transition plan detailing how and the deficiencies will be corrected is recommended. However, a public right-of-way (PROW) accessibility transition plan is recommended for all LPAs.

#### 8-1.01 Self-Evaluation

##### 8-1.01(a) General

A site must contain at least one pedestrian access route within the boundary of the site from public transportation stops, accessible parking, accessible passenger loading zones, and public streets or sidewalks, to the pedestrian access route for the building they serve. However, LPAs are not required to install pedestrian facilities on the PROW as a requirement under the ADA. Once a pedestrian facility is constructed, the LPA shall provide an accessible pedestrian access route within the pedestrian facility. On sidewalks, a pedestrian access route should not alternate between one side of a highway and the other unless caused by temporary pedestrian re-routing due to construction of sidewalks and/or curbs and gutters.

##### 8-1.01(b) Inventory

LPAs shall conduct an inventory of existing pedestrian facilities owned, maintained, or operated by the LPA. Inventory approaches are on-ground surveys, windshield surveys, aerial photo studies, or drawing reviews. Inventories are eligible for Federal, State, and MFT funding (See Section 4-3.06).

##### 8-1.01(c) Barrier Identification

Barriers on pedestrian access routes should be identified in the self-evaluation. This also may require coordinating with local disability organizations and the public. When prioritizing the corrective actions, consider the following:

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- location of pedestrian generators, particularly those in high-priority areas that would be likely serve individuals with disabilities (e.g., medical facilities, high-rise buildings, housing for the elderly, nursing homes, libraries, and commercial or government buildings),
- location of existing pedestrian access routes,
- location of existing utilities, signs, poles, or other features (e.g., steps) that would need to be removed to provide full accessibility,
- existing ground contours that would affect the longitudinal and transverse slope of sidewalks and ramps,
- location of marked crosswalks, and
- presence of drainage features (e.g., inlets, manholes).

Figure 8-1A provides some possible barriers for facilities on the public rights-of-way.

<b>Issue</b>	<b>Possible Barriers</b>
Sidewalk and Pathway Clear Width	Narrow, Obstructions (see below), Protruding Objects
Sidewalk and Pathway Cross Slope	Steepness, Irregularity, Variability, Warping, Settlement
Landings Along Sidewalks and Pathways	Less Than 4 feet by 4 feet
Sidewalk and Pathway Grade	Steepness, Angle Points
Materials and Finishes	Deterioration of Surfaces, Deterioration of Markings, Appropriateness of Material (ex. Cobblestones)
Gratings	Grating Type, Grate Opening Orientation
Discontinuities	Missing Sections, Gaps, Drops, Steps
Detectable Warning System	Missing, Inappropriate Materials, Inadequate Size, Wrong Location
Obstructions	Signs, Mail Boxes, Fire Hydrants, Benches, Telephones, Traffic Signal Poles, Traffic Signal Controller Boxes, Newspaper Boxes, Drainage Structures, Trees, Grates, Pole Mounted Objects, Standing Water, Snow or Ice
Traffic Signal Systems	Lack of Provision for the Visually Impaired such as APS, Inadequate Time Allowed, Inoperable Buttons, Inaccessible Buttons
Curb Ramp	Missing, Doesn't Fall within Marked Crosswalk, Doesn't Conform to Guidelines
Curb Ramp Flares	Missing Where Required, Too Steep

**PUBLIC RIGHTS-OF-WAY FACILITIES POTENTIAL ACCESSIBILITY BARRIERS**

**Figure 8-1A**

## **8-1.02 Public Right-of-way Accessibility Transition Plan Components**

### **8-1.02(a) Designate ADA Coordinator**

LPAs must designate at least one responsible employee to coordinate ADA compliance for public rights-of-way (PROW). This may be the ADA Coordinator required by 55 ILCS 5/5-1131, 60 ILCS 1/85-60, or 65 ILCS 5/1-1-12, or may be an employee within the highway department. This position must be familiar with the LPAs operation, be properly trained in ADA PROW requirements, and be able to effectively communicate with governmental agencies, advocacy groups, and the public.

### **8-1.02(b) Public Notice**

LPAs must provide the public an opportunity to provide input on the PROW accessibility transition plan prior to adoption. The target audience should include public transit users and disability advocacy groups as well as the general public. LPAs should determine the most effective way to provide notice. If notice is provided via a website, the website must in itself be accessible.

### **8-1.02(c) Grievance Procedure**

LPAs must adopt and publish procedures for resolving grievances arising under Title II of the ADA. The procedures are intended to set out a system for resolving complaints of disability discrimination in a prompt and fair manner. The grievance procedure provides an opportunity to resolve a local issue at the local level. However, the use of LPAs grievance procedure is not a prerequisite to filing a complaint with either a federal agency or a court.

### **8-1.02(d) Design Standards, Specifications, and Details**

LPAs must adopt technical guidelines that comply with ADA Standards. LPAs may adopt nationally accepted technical guidelines (i.e. PROWAG) or develop their own. LPAs may use Section 41-6 of the BLRS Manual to meet this requirement.

### **8-1.02(e) Self-Evaluation**

LPAs shall include the self-evaluation as part of the PROW accessibility transition plan.

### **8-1.02(f) Schedule and Budget for Improvements**

LPAs must include a schedule of improvements to upgrade accessibility annually in accordance with the PROW accessibility transition plan. Upgrades may be performed as individual projects or as part of regularly scheduled maintenance or construction projects. Any alteration of existing facilities or construction of new facilities must comply with ADA. Federal, State, and Motor Fuels Tax funds may be used to comply with ADA.

Generally, priority should be given to transportation facilities, public places, and places of employment. Other factors to consider when prioritizing improvements may include:

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- Severity of non-compliance,
- Citizen requests or complaints regarding inaccessible locations,
- Pedestrian level of service,
- Population density,
- Presence of a disabled population, and/or
- Cost

**8-1.02(g) Monitor Progress**

In order to be effective, the PROW accessibility transition plan needs to be utilized in planning and funding decisions. LPAs must update the PROW accessibility transition plan regularly to reflect changes in real world conditions and to address any possible new areas of noncompliance. Regular updates to the plan will also result in monitoring compliance and the effectiveness of priorities set in the plan itself.