

The logo features the text "ADA Transition Plan" in a sans-serif font. "ADA" is in a dark blue color, while "Transition Plan" is in a dark red color. The text is positioned within a dark blue, curved swoosh that starts on the left and ends on the right, tapering off.

For Pedestrian Curb Ramps

The Idaho Transportation Department

December 2018 Plan Update
(Original Submitted 2012)

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BACKGROUND/PURPOSE

The Americans with Disabilities Act (ADA), signed into law in 1990, is a civil rights statute prohibiting discrimination against people who have disabilities. ADA covers a wide range of disabilities, including physical disabilities that limit mobility, stamina, vision, hearing, and speech as well as cognitive disabilities, emotional illness and learning disorders.

Title II of the ADA prohibits state and local governments from excluding participation in or denying benefits of programs, services or activities to people with disabilities. Pedestrian facilities in the state right-of-way are considered a service of the Idaho Transportation Department (ITD).

The ADA also requires public entities with 50 or more employees to perform a self-evaluation to determine barriers to accessibility, as well as create a Transition Plan identifying how compliance will be achieved.

The Transition Plan for Pedestrian Curb Ramps will be reviewed and updated annually to account for completed projects. The inventory of facilities like the ITD headquarters, district offices and rest areas is currently in the process of verification.

The comprehensive list of projected projects is publicized in the Idaho Transportation Investment Program (ITIP) 2019-2025 and available on ITD's website: <https://itd.idaho.gov/funding/?target=itip>. In addition, ITD's "Map it App" is a web application used to share the current ITIP information with the public and gather comments. A map of ITD planned projects is available at: <https://apps.itd.idaho.gov/apps/GIS/hq/itip/app>.

Curb ramp improvements will be completed through scheduled Idaho Transportation Improvement Program (ITIP) projects, stand-alone ADA Improvement projects, and as additional funding becomes available projects will be created to specifically address curb ramp deficiencies in the public right of way. Construction, reconstruction and alteration projects as well as resurfacing, restoration, mill and fill, mill and overlay will include the upgrade of curb ramps within the project limits. Pavement maintenance projects, such as crack filling and sealing, surface sealing, chip seals, fog seals, scrub sealing, joint repair, spot high-friction treatments, diamond grinding, pavement patching, shoulder repair and restoration of drainage systems, will not include ADA updates.

ADA STANDARDS

The United States Access Board has developed standards for meeting the ADA. The ADA Standards for Accessible Design (ADAAG) give the minimum requirements for accessibility in buildings and facilities. The public right-of-way presents unique challenges to accessibility that are not necessarily covered in the ADAAG. To address these issues, the Access Board developed the Draft Guidelines for Accessible Public Rights-of-Way (PROWAG) to provide specific guidance for providing accessible pedestrian facilities. The ADAAG and the PROWAG were used to develop ITD's standard drawings for curb ramps and sidewalks that are used on ITD projects.

ITD is committed to complying with the ADA to ensure that the state's public right-of-ways meet ADA standards and continue to improve accessibility for pedestrians throughout the state.

BARRIERS TO ACCESSIBILITY

During the 2006-2012 self-evaluation process, obstacles encountered in the ITD public right-of-way were documented and recorded. Locations in need of a curb ramp were documented in the self-evaluation and each component of existing curb ramps pertaining to compliance was measured.

Building facilities were documented and will be monitored for ADA upgrades during facility updates. The original sidewalk data in the ITD right-of-way is scheduled for data review and update. Once this data has been verified, the inventory will become part of the ITD ADA Transition Plan (anticipated completion by 2021).

Many projects identified in the Idaho Transportation Investment Program (ITIP) include pedestrian facility upgrades and/or curb ramp improvements. These planned projects are an integral part of bringing curb ramps on the state system into compliance.

ADA features may become damaged or worn as a result of maintenance activities, normal wear and weathering. During the course of regular duties, district maintenance personnel identify and document any ADA issues and concerns.

ITD welcomes input from people with disabilities, representative organizations, and concerned citizens. ITD highly values direct input and can use this information to better address specific locations in need of improvement. Public requests are managed by the ITD Office of Civil Rights. The request for ADA Accommodation can be accessed at: <http://apps.itd.idaho.gov/apps/ocr/ocrREQUESTS.aspx>.

ITD awards \$500,000.00 annually to local public agencies for the purpose of installing or upgrading ADA curb ramps on the state highway system. In addition, each of the six ITD districts has state funds available for ADA projects in addition to those scheduled in the ITIP.

ITD SELF-EVALUATION

Beginning in 2006, all existing sidewalks, pathways and pedestrian curb ramps were measured and documented using custom data screens on GPS units. Locations in need of curb ramps were also identified. The initial inventory established baseline parameters against which progress towards overall compliance is demonstrated. In 2016 the inventory was analyzed to determine if the original dataset was accurate. The six districts were tasked with verifying the curb ramps in the inventory were on ITD right of way. After completing this validation, the inventory was corrected reflect the curb ramps on ITD right of way.

As required by Title II of ADA, ITD continues to evaluate the statewide inventory of pedestrian facilities to document new improvements as constructed and accessibility barriers removed. An inventory inspection form was created to ensure a consistent methodology for data collection. This form has been revised numerous times to allow for new technology and data collection efforts.

Using the data collected on the inspection form submitted by the project inspector, the GIS database is updated by ITD staff. The database dashboard has also been developed to enable ITD to query data, summarize data and identify progress toward compliance for federal reporting much easier than previous applications. Appendix A contains an annual status report

of inventoried ADA Curb Ramps. As of December 1, 2018, the inventory of statewide curb ramp locations is 8,282.

In 2012, inventory of ITD building facilities with public access was conducted. ITD has recently added the position of Capital Facilities Manager. This individual is responsible for prioritizing building improvements and identifying ADA barriers. The Capital Facilities Manager has established a six-year Capital Improvement Program. Each district will be assessed for ADA barriers. When an existing facility requires remodeling or significant repairs ADA compliance is addressed as required. The anticipated completion of the statewide assessment is 2026. As the inspections and assessments are complete the information will be included in future Transition Plan updates.

TRANSITION PLAN UPDATE GOALS

- 2020 Validation of initial sidewalk inventory data for inclusion in the ADA Transition Plan
- 2026 Comprehensive evaluation of ITD facilities’ accessibility

In addition to the above goals, ITD is currently working on a project to identify the optimal method and business practices for managing the ADA data. Progress of this project will be communicated to the FHWA District Office during the monthly meeting with the ITD Office of Civil Rights.

COMPLIANCE PROGRESS

Appendix A contains the complete inventory list of the curb ramp locations color-coded to identify ramps as compliant (green), non-compliant and non-compliant due to technical feasibility (blue). As of December 1, 2018, the following is a summary of the ITD statewide ADA curb ramp inventory and comparison to the 2016 data:

	<u>2018</u>	<u>2016</u>
Total Curb Ramps:	8282	8235
Compliant Ramps:	2443	2111
Noncompliant or Missing Ramps	5717	6017
Technical Feasibility:	122	107
Compliance Progress:	332	

The approved ADA Transition Plan is on file and available for public inspection and will be available in alternate formats if requested.

PROGRAM RESPONSIBILITY

The Director of the Idaho Transportation Department located at 3311 W. State Street, Boise, Idaho 83703 is responsible for this plan. The Director delegated implementation of the plan to the ITD’s external ADA Coordinator.

ITD divides ADA responsibilities into external and internal categories. The external ADA Coordinator is located in the ITD Office of Civil Rights and is responsible for implementation of the ADA Transition Plan to provide accessible public rights-of-way and facilities.

The external ADA Coordinator is a department-wide resource for ADA policies and procedures in support of the plan. Other responsibilities of the external coordinator include responding to ADA inquiries and requests, providing statewide training for ITD staff and subrecipients. The external ADA Coordinator also investigates external ADA complaints. The internal ADA program is managed by the Human Resources Services unit also located at the ITD headquarters in Boise, Idaho.

Individuals with questions or requiring additional information relating to implementation of ITD's ADA Transition Plan should contact:

Russ Rivera, Civil Rights Program Manager (External ADA Coordinator)
Idaho Transportation Department
PO Box 7129
Boise, ID 83707-1129

Email: russ.rivera@itd.idaho.gov
Phone: 208-334-8884

GRIEVANCE POLICY AND PROCEDURES

ITD's External ADA Grievance Procedure and requests for accommodation form are available by accessing the ITD home page at <https://itd.idaho.gov>, clicking the link 'Accessibility'. Public requests made through this procedure will be reviewed and the results of the requests will be communicated directly to the individual by phone or email.

The Idaho Transportation Department is committed to providing equal access to programs, services, and activities for persons with disabilities. The External ADA Grievance Procedure established in accordance with agency policy, state and federal law, is intended to be used by non-ITD employees who wish to file a complaint alleging discrimination on the basis of a disability in the provision of services by or access to activities, programs or facilities of the Idaho Transportation Department. Complaints may be filed by any person who believes that he or she has been excluded from participation in, been denied the benefits of, or otherwise subjected to discrimination under any Idaho Transportation Department (ITD) service, program or activity, and believes the discrimination is based upon disability. This external grievance procedure does not apply to complaints relating to employment by the Idaho Transportation Department which are addressed in a separate procedure.

To begin the process, a written complaint should be submitted to the Department. The complaint should include contact information for the Complainant such as name, address, phone number. The complaint should also provide a brief description of the issue including and the location, date, and persons involved in the alleged discrimination. Complaints may be filed by any person who believes that he or she has been excluded from participation in, been denied the benefits of, or otherwise subjected to discrimination under any Idaho Transportation Department (ITD) service, program or activity, and believes the discrimination is based upon disability.

ITD's ADA complaint form can be accessed from the ITD home page <https://itd.idaho.gov>, click the link 'Accessibility' and then select, Discrimination Complaints. Alternative means for filing a grievance can be provided by calling the ADA Coordinator at 208-334-8884 or via the Idaho Relay Service at 7-1-1.

The complaint should be submitted as close to the date of the alleged discrimination as possible, but no later than one hundred eighty (180) calendar days after the alleged discrimination.

Within 10 calendar days of receipt of the complaint, the ADA Coordinator or designee will contact the complainant to discuss the complaint and possible resolutions. Within 30 working days of receiving the complaint, the ADA Coordinator or designee will provide the Complainant a written response. The response will explain the position of the Department and offer options for substantive resolution of the complaint, if warranted. Files will be retained in accordance with the agency's retention schedule.

The complainant's use of this grievance process as a means to achieve a prompt and equitable resolution of the grievance shall not be impaired by the complainant's pursuit of other remedies such as the filing of a complaint with the responsible federal and state agencies. Use of this grievance process is not a prerequisite to pursuing other remedies with outside agencies.

REFERENCES

Idaho Transportation Department ADA Webpage
<http://itd.idaho.gov/civil/ada.htm>

Idaho Transportation Investment Program (ITIP)
<http://itd.idaho.gov/itip/>

28 CFR Part 35
<http://www2.ed.gov/policy/rights/reg/ocr/28cfr35.pdf>

ADAAG
<http://www.ada.gov/stdspdf.htm>

PROWAG
<http://www.access-board.gov/prowac/draft.htm>

US Access Board
<http://www.access-board.gov/>

US Department of Justice
<http://www.ada.gov/>

APPENDIX A

Statewide Curb Ramp Locations