



VT Agency of Transportation

ADA Transition Plan Update



November 2014

Vermont Agency of Transportation
Office of Civil Rights and Labor Compliance
One National Life Drive
Montpelier, VT 05633-5001
vtranscivilrights.vermont.gov/compliance/ada
Main Office: (802) 828-2717
Fax: (802) 828-1047

Vermont Agency of Transportation
ADA Transition Plan Update
2014

Table of Contents

	<u>Page</u>
1. Introduction/Background	2
2. Accessibility of VTrans Facilities	2
3. The Self-Evaluation Process	4
4. Public Outreach	6
5. Transition Plan Facilities	7
• Rest Areas/Welcome Centers	7
• Airports	7
• District Offices	8
• Railroads	8
• Central Garage and Materials Lab	9
• Curb Ramps	10
• Pedestrian Signals	11
• Accessibility During Construction	12
• Park and Ride Lots	12
6. ADA Complaint Disposition Process	13

1. Introduction/Background

The Vermont Agency of Transportation (VTrans) completed and published its first [ADA Transition Plan](#) in May of 1995. The original plan included a comprehensive inventory of VTrans facilities, including a process for self-evaluation concerning the accessibility of those facilities. The intended purpose of the development and implementation of an ADA Transition Plan is the evaluation of existing facilities for accessibility, the identification of needed upgrades for improvement, and the subsequent development of a plan and scheduled timeframe for making the identified accessibility improvements. The original plan identified those public facilities requiring ADA upgrades, the cost of each improvement, and a timeline for the completion of each improvement. The VTrans properties and facilities inventoried and identified in 1995 as needing ADA improvements as a result of the initial self-evaluation process, and subsequently listed in the original transition plan, have been upgraded.

The purpose of this transition plan update is to identify the accessibility improvements completed since the original 1995 plan, resolve accessibility deficiencies as they arise and ensure compliance with current standards or guidelines, establish a plan for addressing these issues, conduct a public involvement process to gather input, and establish a clear process for receiving any accessibility complaints.

2. Accessibility of VTrans Facilities

In addition to the comprehensive self-evaluation process undertaken, a significant priority identified in the original plan was to ensure “equitable traveler/pedestrian access to Agency owned transportation systems.” At the time, the main design guidance regarding public and pedestrian facilities was contained within the [Americans with Disabilities Act Accessibility Guidelines \(ADAAG\)](#). VTrans adheres to the ADAAG guidelines in addition to the requirements contained within 28 CFR Part 35.150(d), specific to transition plans and to the more recent requirements contained within the 2010 ADA Standards for Accessible Design (2010 Standards).

Although the ADAAG contains requirements for curb ramps, minimum width of pedestrian access routes and slope requirements for pedestrian accessibility, the intent of the ADAAG is to provide minimum dimensions for accessibility to buildings and facilities. However, in the absence of specific standards for pedestrian facilities at that time, ADAAG was considered to be the “best practice” for accessibility.

Since the completion of the original VTrans Transition Plan, the [U.S. Access Board](#) has made significant progress towards adopting standards for pedestrian facilities in the broader context of what is referred to as the “Public Rights of

Way” (PROW). An advisory committee – the Public Rights-of-Way Access Advisory Committee (PROWAAC) – published a final report entitled, “Building a True Community,” in January 2001. Subsequent to that report, the Access Board released draft guidelines based on the Committee's initial 2001 report, in 2002. More recently, in 2011, the Board issued [Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way](#).

There have been other design guidance publications specific to accessibility within the public rights of way since 1995. The Federal Highway Administration (FHWA) published Parts 1 and 2 of [‘Designing Sidewalks and Trails for Access’ \(Best Practices Design Guide\)](#) in September, 2001. A subcommittee of the PROWAAC produced a special report entitled [“Accessible Public Rights of Way,”](#) in July 2007. Additionally, the Access Board and other governmental and non-governmental agencies and organizations have developed various [reports and guidance on related topics](#) including detectable warnings, accessible pedestrian signals and the development of design guidance intended to ensure greater accessibility for the visually impaired at roundabouts, crosswalks and intersections.

In the absence of final rulemaking regarding standards for public rights of way, FHWA issued a [memorandum](#) in 2006 indicating that public agencies should use the latest guidance issued by the Access Board (the 2005 revised draft) and the 2001 [FHWA ‘Best Practices Design Guide,’](#) when designing and constructing new facilities for pedestrians. VTrans reviewed the 2005 revised draft guidelines provided by the Access Board and consequently modified standard drawings and construction specifications in order to meet those standards. In addition, all present and future VTrans projects, alterations and improvements considered to be part of the public right of way will comply with the accessibility requirements contained within the ADA, Section 504, and since March 15, 2012, with the newly adopted [ADA Standards for Accessible Design \(2010 Standards\)](#).

VTrans has updated a number of standard drawings and construction specifications since the development of the 2005 revised Draft Guidelines. As a result, any future VTrans projects designed and built will adhere to the most current and applicable standards for accessibility.

As the Agency’s transportation infrastructure becomes increasingly more accessible on an annual basis, so too will the Transition Plan be updated and reviewed on a periodic basis.

Standard Drawings:

In addition to ensuring that VTrans project planning, design, and construction programs provide pedestrian access to persons with disabilities, VTrans utilizes [standard drawings](#) to provide engineering details of sidewalks and curb ramps to ensure consistent design application and construction of accessible pedestrian

features. The standard drawings are but one element of project contract plans put out to bid prior to the commencement of site construction. The VTrans standard drawings that pertain to sidewalks and curb ramps have been revised to reflect the guidance in the 2005 revised draft guidelines.

VTrans also developed a comprehensive [Pedestrian and Bicycle Facility Planning and Design Manual](#), adopted in December, 2002. Included in the manual are sections addressing accessibility, recommended minimum sidewalk widths, a discussion of curb ramps and a section on providing access to persons with disabilities in and around project alterations, improvements, and new construction sites within the public right of way.

APS and VTrans Standard Specifications

When the 2005 Revised Draft guidance was issued by the Access Board, VTrans was in the process of updating its standard specifications for construction. As a proactive measure, the VTrans construction specifications were amended to require Accessible Pedestrian Signals (APS) and pedestrian pushbutton assembly design consistent with the 2005 revised draft guidance. As a result, any pedestrian signal projects that have gone out to bid and been completed since the [2006 VTrans 'Standard Specifications for Construction'](#) were adopted, have included APS upgrades such as pushbuttons with integrated locator tones, vibro-tactile features and audible information indicating the 'Walk' phase of the signal. These design specifications are also contained within the current [VTrans 2011 Standard Specifications](#).

3. The Self-Evaluation Process

For each of the facilities covered by this plan update, a self-evaluation process has been employed and/or identified as an effective tool for the assessment of site facility accessibility. The self-evaluation method focuses on the present condition, physical features, and barriers to accessibility at existing facilities. Additionally, as new facilities are designed and constructed, they will be constructed in compliance with the most current standards and specifications for accessibility.

Sidewalks on the system of highways under state jurisdiction are constructed and maintained to eliminate potential barriers to facility access and in accordance with current ADA and Section 504 guidance and regulations. Sidewalks and curb ramps are sometimes included in a roadway reconstruction or bridge project. Municipalities seeking sidewalks within the state right of way may obtain a permit from VTrans to construct and maintain those sidewalks. Finally, Vermont has what are known as Class I town highways. Class I town highways are portions of state numbered routes upon which municipalities accept general maintenance and operational responsibilities including the provision of sidewalks and curb ramps. While there is a degree of joint responsibility concerning Class I

town highways, the towns retains the primary responsibility and jurisdiction over those highways.

Historically, when VTrans constructed sidewalks and curb ramps as part of a larger transportation project, there was often no clear maintenance agreement between the state and the municipality concerning ongoing maintenance of newly constructed pedestrian facilities. However, the current practice surrounding future maintenance of newly constructed sidewalks within a town or municipality includes the drafting of a maintenance agreement specifically outlining the town's responsibilities. The VTrans administrative policy – Sidewalks, Construction and Maintenance- 6010, effective on July 6, 2001, requires the identification of future maintenance responsibility for any new sidewalks constructed.

Prior to the effectuation and implementation of VTrans Administrative Policy- 6010, there may have been a number of sidewalks or other pedestrian facilities designed and constructed in various towns and municipalities throughout Vermont, that may lack clear maintenance agreements between the local entity and VTrans.

Winter Maintenance

In order for a sidewalk or other pedestrian facility to be accessible, it must be effectively maintained. During the winter season, maintenance includes the removal of snow and ice from pedestrian facilities. As stated in a Federal Highway Administration (FHWA) memo dated September 12, 2006, regarding accessibility: "As part of maintenance operations, public agencies' standards and practices must ensure that the day-to-day operations keep the path of travel open and usable for persons with disabilities, throughout the year. This includes snow and debris removal." Legal adjudications from various jurisdictions have clearly established the requirement that the removal of snow and clearing of sidewalks within a "reasonable amount of time" must occur. What remains less clear, however, is determining what constitutes a reasonable amount of time in which pedestrian facilities are to be cleared and maintained after a significant snow or ice event.

Plans Review for Locally Managed Projects

VTrans oversees the development of locally managed projects through its [Municipal Assistance Bureau](#). Most of the MAB projects are federally funded through the Transportation Enhancements program, the Safe Routes to School program, the Scenic Byways program or other Surface Transportation Program funding. The majority of projects in the MAB program are those that are managed by a local project sponsor, most typically a local governmental entity, with VTrans staff working alongside the project sponsoring entity to ensure that all federal requirements are met. A mutually beneficial outcome of cooperative and collaborative project monitoring and oversight ensures that projects designed

to provide improved access to pedestrian facilities do in fact, incorporate all elements of accessible facility planning, design, construction and future maintenance.

4. Public Outreach

As part of the ongoing efforts by VTrans to invite public input and help ensure that all of its programs, services, and activities are readily accessible and usable by individuals with disabilities, VTrans has worked closely with disability advocacy groups including the [Vermont Center for Independent Living \(VCIL\)](#), the [Vermont Association of the Deaf \(VTAD\)](#), and the [Vermont Association for the Blind and Visually Impaired \(VABVI\)](#), to seek feedback on its ADA Transition Plan Update. Effective public outreach efforts are a significant component of the ongoing activities to identify and reduce existing physical barriers to facility access by persons with disabilities.

On January 24, 2013, a public participation meeting was held at the offices of VCIL, in Montpelier, Vermont, with staff from VTrans, VCIL, VABVI, and VTAD and members of the public in attendance, and also included several call-in participants from throughout the state. Notice of the meeting was widespread using print and electronic methods of publication and distribution, including social media, listservs, print and electronic newspapers, and websites, including meeting announcements on the VTrans and VCIL websites, on the community calendar of the Vermont e-newspaper VTDigger, and in the widely distributed central Vermont community newspaper, the 'Washington World'.

The intent and purpose of the meeting was to provide an opportunity for the general public and the community of disability rights advocates, persons with disabilities, and other interested persons to comment on the proposed VTrans ADA Transition Plan Update, express suggested edits, and to fully participate in the interactive dialogue and discussion.

In addition, the meeting provided a forum for local community members and call-in participants to identify specific accessibility barriers that may exist within their respective towns and municipalities, provide feedback and input relative to local pedestrian improvement projects, and to emphasize the importance of accessibility alterations and improvements in all present and future transportation planning, design, and construction activities undertaken by VTrans.

A public comment period for suggested input on the Transition Plan update document was extended beyond the public meeting to February 28, 2013. Additional notice of the public comment period was also provided on the VTrans website, the e-newspaper VTDigger, and by e-mail through the extensive disability advocacy contact list maintained by VCIL. The VTrans ADA Transition Plan Update was significantly revised to reflect input received during the public participation meeting and comment period.

5. Transition Plan Facilities

Rest Areas/Welcome Centers

As part of the original 1995 VTrans ADA Transition Plan, all of the rest areas and welcome centers in the state were inventoried and assessed through the self-evaluation process and considered in terms of accessible features, programs, and services. Noted deficiencies were identified, a schedule for improvement developed, and the noted deficiencies identified have been corrected. The completion dates of the ADA related improvements are noted in the original plan.

During the ensuing years, the administrative oversight functions and maintenance operations of the rest area and welcome center facilities have become the responsibility of the Vermont Department of Buildings and General Services (BGS). VTrans maintained design, planning, and construction oversight of the recently completed Hartford rest area project, finished in 2012. That project was built to the most current ADA standards for accessibility. Upon completion of the project, all future maintenance activities and additional facility needs reverted to the authority and oversight of BGS.

Airports

The [Vermont Agency of Transportation's aviation](#) mission is to support, maintain and enhance all State-owned airports. As the owner/operator of 10 State-owned airports, VTrans promotes efficient and effective operation of its airports to assure safe, secure, and reliable air transportation of goods and people, while being environmentally responsible, cost-effective and supportive of Vermont's economy and recreational activities. Emergency services, aviation education, financial responsibility, and promotion of compatible land use are part of the mission for VTrans, as is playing a supportive role to all airports and aviation statewide.

Toward that end, VTrans will continue to seek to improve and enhance airport and aviation services for all of its users. The following list summarizes accessibility improvements made or scheduled for the ten state-owned airports:

Bennington – The main terminal and restrooms are ADA accessible as improvements were completed in 2005-2006;

Berlin/Knapp Airport – Terminal renovations were completed in 2011 as part of a larger runway and taxiway improvement project. Both the terminal and restrooms are ADA accessible;

Caledonia – The terminal was completely renovated in the fall of 2012 and is now ADA accessible;

Franklin County – The main terminal building and restrooms are not currently accessible; however, the terminal building is scheduled for complete renovation in 2015;

Island Pond – No facilities, grass landing strip;

Middlebury – The terminal was renovated in 2003 and is now ADA accessible;

Morrisville/Stowe – Both the terminal building and restrooms are fully accessible;

Newport – A new 10,000 sq. ft. terminal building is scheduled for construction beginning in 2014 and will be fully accessible upon completion;

Rutland – The terminal and restrooms are accessible and the second floor is serviced by an accessible elevator;

Springfield - Accessibility improvements were completed in the terminal building and restrooms in 2005-2006.

District Offices

The [nine VTrans maintenance district](#) offices were evaluated for accessibility, scheduled for improvements and updated as indicated in the original VTrans ADA Transition Plan. In the years since, accessibility improvements continue to be made as some district offices have relocated to newer more accessible facilities, and as the facility needs of the agency have changed; as in response to the flooding caused by Tropical Storm Irene in 2011. While it is the case that not all district offices are fully compliant with the ADA, many improvements have been made and VTrans is committed to making the necessary improvements as previously identified and will continue to ensure that access to its services are made fully available to all.

To that end, ADA specific training continues to be provided to District Transportation Administrators and Managers to not only educate staff about the provisions of the ADA, but to ensure that over the long-term, accessibility alterations and improvements continue to be made as existing barriers are identified and scheduled for improvement.

Railroads

The goal of the [Vermont Agency of Transportation's Rail Program](#) is to promote the efficient and effective operation of the state's rail system so that it can be a seamless, competitive, interconnected and integrated element of the national multi-modal transportation system. This goal recognizes the social, economic, and environmental importance of rail to that system.

The Rail Program assists in the development of opportunities for the shippers and receivers of rail freight in the state and is also responsible for the Amtrak/Vermont Intercity Passenger Rail partnership provided on the Ethan Allen Express and Vermonter lines, respectfully. The following list of rail stations providing passenger service in Vermont summarizes the level of accessibility at each station:

Bellows Falls – Unstaffed station, station is wheelchair accessible but not all station facilities are accessible;

Brattleboro – Unstaffed Amtrak station;

Castleton – Unstaffed Amtrak station;

Essex Junction – Unstaffed station, station wheelchair accessible but not all station facilities are accessible;

Montpelier – Unstaffed station, station wheelchair accessible but not all station facilities are accessible;

Randolph – Unstaffed station, station wheelchair accessible and no barriers exist between station and train;

St. Albans – Unstaffed station, station wheelchair accessible but not all station facilities are accessible;

Waterbury – Unstaffed Amtrak station;

White River Junction – Unstaffed station, station wheelchair accessible and no barriers exist between station and train;

Windsor – Unstaffed Amtrak station.

While many of the stations are unstaffed, Amtrak personnel provide assistance to those with disabilities to both board and disembark, upon arrival and departure, at each station along the Vermonter and Ethan Allen Express routes.

Central Garage and Materials Lab

Accessibility improvements identified in the original Transition Plan in 1994 and slated for completion in 1995, have been made at the Central Garage in Berlin. Those improvements included restroom renovations and upgrades with the installation of grab bars, new door closers and hardware, wider door clearances and openings.

While flooding damage was considerable as many fleet vehicles are parked at the Central Garage for winter maintenance, the damage to building infrastructure was less than that suffered at the adjacent lab facilities. The Central Garage remains in the current location in Berlin, along route 302.

As a result of the flooding of 2011, the VTrans Materials Testing Lab suffered considerable damage, requiring the demolition of a testing building at the former site. Upon completion of the damage assessment and in consideration of the future testing needs and capabilities of the agency, the lab and all related facilities were relocated from the former location along route 302 in Berlin, to a higher location near the Knapp State Airport, also in Berlin. The entrance to the new Materials Testing Lab location is accessible as are the interior restrooms.

Curb Ramps

The [1995 Transition Plan](#) included a list of 60 sidewalk curb ramps on the state system, a schedule for inspection and cost estimates for project upgrades and a timeline by which projects were to be completed. The original list of curb ramps identified for needed improvement in order to become ADA compliant was completed shortly after publication of the 1995 Transition Plan.

As the Agency constructed new curb ramps between 1995 and the present, they were designed to meet the ADA standards in place at the time. An area of accessibility guidance in flux between 1995 and 2001, was the inclusion of the requirement that a detectable feature improve accessibility for those with visual impairments navigating curb ramps. In May 2002, FHWA issued a memorandum clarifying the requirement of truncated domes as the only acceptable detectable warning for installation on curb ramps. The result was that a number of otherwise compliant curb ramps were constructed between 1995 and 2002 without the required truncated domes. As the inventory of curb ramps within the state right of way have been improved and altered over time, those ramps previously constructed without truncated domes will be brought into ADA compliance as required.

VTrans maintains a [video inventory of all of the state maintained highways](#). In 2005, VTrans utilized its existing video inventory to identify the location of all curb ramps on the state system. In addition to specifying location, each ramp was analyzed to determine if it contained the required detectable warnings. The reason this particular ADA feature was catalogued was to ensure that the geometric requirements of the ADA were being met, but also to identify at what locations the required detectable warnings were not present.

In 2009, VTrans designed and implemented a project, utilizing Federal stimulus funds, to reassess prior upgrades made to all curb ramps on the state system and to ensure that previous improvements comply with ADA design standards. The 2005 inventory was used as a starting point to identify the ramp locations.

Field visits to all curb ramp sites ensured comprehensive inventory review and site inspection. Upon site inspection, some sites were removed from the inventory citing prior upgrades, while others were added as visual identification of compliance-related issues, most notably the absence of detectable warnings, was noted. This project is now complete and all curb ramps on the state system have been identified, scheduled for necessary improvements, and/or are compliant with the current ADA curb ramp regulations.

For VTrans projects with existing pedestrian access and facilities, any new curb ramp installations within the right of way will be brought into compliance with the most current ADA standards. This is consistent with the interpretation that paving projects that go beyond simple maintenance are to be considered alterations or improvements within the right of way, and therefore must meet accessibility standards consistent with the court ruling in the Kinney v. Yerusalem case.

Pedestrian Signals

The 1995 Plan included a list of traffic signals with pedestrian improvement projects and phases. There was a column identified as “audio” and each of the signals with pedestrian phases (a total of 18) had an indication of “yes” or “no”. The inventory served as a baseline assessment of those signals needing improvement to comply with accessibility requirements in place at the time.

VTrans maintains a data base of all signals under its jurisdiction. The data indicates the number of signals that include a pedestrian phase (either concurrent or exclusive), and at what locations APS upgrades have been installed. The VTrans traffic design section estimates that the cost of upgrading a standard signal system providing pedestrian access to all four corners of an intersection, with an improved system including eight APS pushbuttons, is approximately \$12,000. As new signals are constructed or existing signals are upgraded as part of improvement or alteration projects, APS pushbutton systems are installed.

The [pedestrian signal database](#) is updated as new signals go online or as existing signals are upgraded and improved. This database will be a valuable tool to assess progress towards making all signals under VTrans jurisdiction fully accessible to persons with disabilities.

Additionally, if VTrans receives a request from a municipality to convert an existing pedestrian signal to APS, the agency has worked collaboratively with local entities to make the necessary improvements to enhance accessibility.

In a 9/12/06 [FHWA memo](#), it is clarified that the Federal Highway Administration “is responsible for ensuring public agencies meet the requirements of the ADA and Section 504 for pedestrian access for persons with disabilities. Under DOJ regulations, FHWA divisions must work with their State DOTs, MPOs, and local

public agencies to ensure ADA and Section 504 requirements are incorporated in all program activities for all projects within the public right-of-way regardless of funding source.”

It further clarifies that, “For all highway, street and trail facilities, regardless of whether Federal funds are involved, the division offices need to perform onsite review of complaints about accessibility and report the findings”.

ADA Accessibility During Construction

An area where VTrans continues to develop and deliver guidance is pedestrian accessibility through construction zones, especially on projects where existing sidewalks become inaccessible prior to, and during, actual construction activity. There is guidance in the Manual on Uniform Traffic Control Devices or [MUTCD](#) about pedestrian accessibility during construction. Additionally, FHWA has published some general guidance on this topic. VTrans has a [Work Zone Safety & Mobility Guidance Document](#) published in August 2007 that includes a goal of providing a “safe work zone for motorists, pedestrians, bicyclists (the travelling public) and construction personnel.” To meet this goal, it identifies a strategy of developing “site specific traffic control plans, while ensuring compliance with the Manual on Uniform Traffic Control Devices.”

VTrans has developed standard construction notes regarding pedestrian access in work zones that can be incorporated in project plans and construction specifications. If deemed necessary, VTrans will also develop standard drawings that will depict common sidewalk work zone and closure scenarios and will detail the traffic control devices used to meet both ADA and MUTCD guidance.

Park and Ride Lots

In addition to a variety of maintenance facilities and other properties, VTrans has 27 state owned and maintained [Park-and-Ride facilities](#). As VTrans has upgraded and expanded these facilities, VTrans has adhered to the existing ADA accessibility regulations and requirements. However, there may be some elements of existing Park and Ride facilities that may require further improvement to ensure compliance with the newly adopted 2010 Standards.

Due to a greater interest in alternative means of commuting such as carpooling and the increased ridership of public transportation, the Richmond Park-and-Ride lot, located at exit 11 on I-89, has recently been expanded and is now ADA compliant. The lot had been operating at capacity for several years and with more Vermont employers offering incentives to their employees to encourage greater participation in alternative forms of commuting, the need for expanded capacity at the state’s Park and Ride lots can be anticipated to increase.

As facilities are expanded and improved, VTrans will ensure accessibility of the state owned Park-and-Ride facilities. In 2013, VTrans undertook the following actions:

1. Developed an ADA Compliance Evaluation survey for all of the State owned and maintained Park-and-Ride Facilities.
2. Conducted site visits to each Park-and-Ride and evaluate using the survey.
3. Using information from the evaluation survey, compiled a list of changes needed at each site.
4. Developed a plan for addressing the ADA compliance issues for each Park and Ride facility identified as needing any changes. Some of these changes have already been implemented, and the balance are being addressed based on available funding, time schedules, methods of treatments, priorities, and any ongoing maintenance that is needed.

VTrans also provides funding for a Municipal Park-and-Ride Grant Program whereby municipalities are allocated funds with which to develop their own Park-and-Ride facilities. Through this program, the Agency will assist municipalities in ensuring local awareness of the compliance requirements of the latest accessibility guidelines during all phases of project planning, design, and construction.

6. ADA Complaint Disposition Process

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of disability, may file a complaint with the Vermont Agency of Transportation's Office of Civil Rights & Labor Compliance.

All complaints related to disability discrimination should be addressed to Lori Valburn, VTrans Civil Rights Chief, at the following address:

Lori Valburn
Vermont Agency of Transportation
Office of Civil Rights & Labor Compliance
One National Life Drive
Montpelier, VT 05633-5001
Lori.Valburn@state.vt.us
Phone: (802) 828-5561 Fax: (802) 828-1047