

Maine Department of Transportation: ADA Compliance Policy

Overview

It is the Policy of MaineDOT to implement the requirements of Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act, and all applicable enforcement regulations. These requirements shall be implemented in accordance with the provisions of the Department’s Comprehensive Transition Plan Update. Complaints alleging a violation of this policy shall be investigated in accordance with the detailed process defined in the “ADA Complaint Procedures” in the Guideline for Meeting ADA for Projects section below.

General

For any project (Bridge, Highway, Multimodal, or Traffic) where analysis has determined new pedestrian facilities to be warranted, such facilities shall meet the full extent of ADA guidelines to the maximum extent possible. This includes sidewalks, curb ramp slope and width, detectable warnings, and pedestrian signals.

Alterations

ADA accessibility rules dictate that projects that “alter” the usability of the roadway must incorporate accessible pedestrian improvements to existing facilities to the maximum extent possible. An alteration is considered a change to a public right-of-way that affects or could affect access, circulation, or use. Where pedestrian facilities are present, ADA compliance of curb ramp width, slope and detectable warnings are necessary for certain treatments; this may also require pedestrian signal upgrades.

Guideline for Meeting ADA for Projects with Existing Pedestrian Facilities

Project scopes are defined in the chart below. The need for ADA improvements, along with minimum improvements required is based on the Type of Work (SCOPE).

| Type of Work | ADA IMPROVEMENTS? | MINIMUM IMPROVEMENTS |
|---|-------------------|---|
| New Construction or Reconstruction: Travelway, sidewalk projects and any safety/enhancement/Safe Routes project involving excavation | YES | Upgrade pedestrian facilities to meet ADA standards within the defined project limits – curb ramp slope and width, truncated domes, and pedestrian signals. |
| Signal – new location that warrants pedestrian facilities | YES | Upgrade pedestrian facilities to meet ADA standards within the defined project limits – curb ramp slope and width, truncated domes, and pedestrian signals |

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|---|---|---|
| Signal Replace in Kind | YES- but only for pedestrian signal equipment | Upgrade pedestrian signals |
| Signal – modification involving excavation or right of way that warrant pedestrian facilities | YES | Upgrade pedestrian facilities to meet ADA standards within the defined project limits – curb ramp slope and width, truncated domes, and pedestrian signals |
| <u>Alterations</u> <ul style="list-style-type: none"> • Rehabilitation • Paving • PMRAP • Mill & fill /overlay • Cape Seal • Hot in place recycling • Microsurfacing • Light Capital Paving | YES | Upgrade pedestrian facilities to meet ADA standards (curb ramp slope and width and truncated domes) within the defined project limits - if curb ramp did not meet 1991 or 2010 standards that were applicable when the project was built. If compliant, then no upgrades needed. Also, in instances where pedestrian signals will be impacted (improper button height because of grading, pedestrian pole now in the sloping area of the ramp or pedestrian pole needs to be physically moved), the pedestrian signals must be brought up to current standards. |
| Lighting | NO | |
| Striping | NO | |
| <u>Maintenance Activities</u> – Chip Seals, Crack filling and Sealing, Dowel Bar Retrofit, Fog Seals, Joint Crack Seals, Joint Repair, Pavement Patching, Scrub Sealing, Slurry Seals, Spot High-Friction Treatments, Surface Sealing. | NO | Note some combinations of these may require ADA upgrades. |