

Guidelines to Implement the Americans with Disabilities Act (ADA) of 1990

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**Department of
Transportation**

Maricopa County Department of Transportation
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MCDOT ADA Compliance Guidelines

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MCDOT ADA Compliance Guidelines

Introduction

The core purpose of the Maricopa County Department of Transportation (MCDOT) is to provide connections that improve people's lives. Compliance with the Americans with Disabilities Act (ADA) furthers this purpose by providing, to the maximum extent feasible, equitable access to and within MCDOT right-of-way for people with disabilities.

The purpose of this guide is to assist MCDOT staff, consultants, developers, and the public with understanding acceptable ADA design practices in MCDOT right-of-way.

Standards and References: Descriptions and Hierarchy

These guidelines were developed based on requirements described in the hierarchy of documents below. For an ADA concern within the right-of-way for which clear guidance is not provided by these Guidelines, the ADA coordinator or designee should be contacted.

- US Department of Justice 2010 Standards for Accessible Design (2010 Standards)
 - Title II of the 2010 Standards: State and Local Government Facilities
- FHWA Manual of Uniform Traffic Control Devices
- MCDOT Roadway Design Manual
- MCDOT Traffic Signal Design Manual
- MCDOT Traffic Signing Manual
- Maricopa County Supplement to the Maricopa Association of Governments (MAG) Standard Details
- MAG Standard Details

ADA Requirements

Compliance requirements vary depending on whether a project is considered new construction, alteration, or maintenance as outlined in the 2010 Standards. A description of each project type is provided below and additional information on the requirements for each type is provided in the following sections.

- **New construction** refers to site preparation for, and construction of, entirely new structures and/or significant extensions to existing structures.
- **Alteration** refers to a change in a facility that affects or could affect the usability of the facility.
- **Maintenance** refers to any activity that does not alter existing elements of the pedestrian pathway.

New Construction

All new construction, including construction of new sidewalks on existing roads, is subject to the 2010 Standards.

- All pedestrian facilities that are part of an intersection shall be made compliant even if road improvements include only a portion of the intersection.
- All corners of all intersections affected by a given project shall be made compliant.
- T-intersections should have at least two accessible crossings.
- Exceptions in new construction should be rare.

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Alterations

Resurfacing of streets constitutes an alteration under the ADA and triggers the obligation to provide or upgrade curb ramps where pedestrian walkways intersect the resurfaced streets. Roadway improvements that trigger installation or upgrade of curb ramps include, but are not limited to, the following:

- Improvements to the geometry of the intersection, such as installation of new turn lanes or widening of existing lanes
- Signal improvements
- Grade elevation changes
- Crosswalk striping improvements
- Streetscape improvements
- Sidewalk improvements within the legal crosswalk
- Mill & Overlay
- Microsurfacing / Thin Lift Overlay (0.5 to 1.5 inches)
- In-place asphalt pavement recycling
- Open-graded surface course
- Cape Seals (chip seal covered with slurry seal)
- Addition of new layer of asphalt pavement
- Asphalt or concrete pavement rehabilitation

Maintenance

The following treatments are considered maintenance and trigger no obligation to provide or upgrade ADA accessible features:

- Spot patching and pothole repair
- Replacement of disturbed curbing
- Restriping of existing markings in place
- Chip sealing
- Thin coat sealing
- Crack sealing
- Trenching for underground utility construction
- Diamond grinding
- Spot friction treatments
- Joint repair
- Traffic signal timing adjustments

The combination of two or more maintenance treatments may rise to the level of being an alteration. In general, restriping of existing markings in conjunction with any other maintenance item does not constitute an alteration. Chip seals covered with another seal coat become a cape seal and are considered an alteration. Other combinations of treatments applied within one year should be evaluated for to determine if they are considered an alteration.

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Multiple Agency Participation

In the occurrence that MCDOT does not control all of the public right-of-way required to provide access for persons with disabilities, MCDOT will work jointly with all others with interests in the highway, street, or walkway to ensure that pedestrian access improvements occur at the same time as any alteration or new project. The ADA encourages this cooperation by making each of the public agencies involved responsible for compliance.

To ensure that pedestrian access improvements occur at the same time as any alteration or new project MCDOT will approach affected agencies to develop an Intergovernmental Agreement (IGA) identifying responsibility for project management, schedule, permitting, cost sharing, and other elements needed to complete the project.

Standard Details

The MCDOT standard details have been developed to ensure compliance with ADA requirements and shall be used where appropriate. The following list is provided for reference. MAG and other agency details not specifically listed below are not approved.

Standard Details for New Construction:

- MCDOT 2024: Single Curb Ramp Mid-block Residential Street w/4" Roll Curb
- MCDOT 2031-1: Radial Curb Ramps 30' & 35' Curb Returns
- MCDOT 2031-2: Radial Curb Ramps 30' & 35' Curb Returns
- MCDOT 2032: Radial Curb Ramps for Residential Intersections
- MCDOT 2033: Single Radial Curb Ramp at Sidewalk Transition
- MCDOT 2036: Return Type Driveways with Attached Sidewalk
- MAG 230: Sidewalks
- MAG 234: Curb Modification at Detectable Warning
- MAG 236-1: 25' – 35' R-Radial Curb Ramp Attached Sidewalk
- MAG 236-2: 35' – 35' R-Radial Curb Ramp Detached Sidewalk
- MAG 236-3: 20' R-Radial Curb Ramp Attached Sidewalk
- MAG 236-4: 25' 35' R-Radial Combination Curb Ramp
- MAG 238-1: Perpendicular Curb Ramp
- MAG 238-2: Combination Curb Ramp (MAG 238-4 Single Curb Ramp Mid-Block Residential Street w/ 4" Roll Curb will be out Jan. 2020, it will replace MCOT 2024)
(MAG 238-4 Single Curb Ramp Mid-Block Residential Street w/ 4" Roll Curb will be out Jan. 2020, it will replace MCOT 2024)
- MAG 250-1: Driveway Entrances with Detached Sidewalk
- MAG 250-2: Driveway Entrances with Sidewalk Attached to Curb
- MAG 260: Retrofit Driveway or Alley Entrance
- MAG 262: Wing Type Alley Entrance with Combined Curb and Gutter
- MAG 263: Wing Type Alley Entrance with Roll Type Curb and Gutter

Standard Details for Alterations:

- MCDOT 2022: Retrofit 20' Return w/Dual Combination Curb Ramps
- MCDOT 2023: Retrofit 20' – 25' Return w/Single Combination Curb Ramp
- MCDOT 2030-A: Sidewalk Ramp Retrofit – Method A

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MAG 236-5: 25' – 35' Radial Parallel Curb Ramp (Not allowed except for retrofit purposes. Use requires special approval from MCDOT)

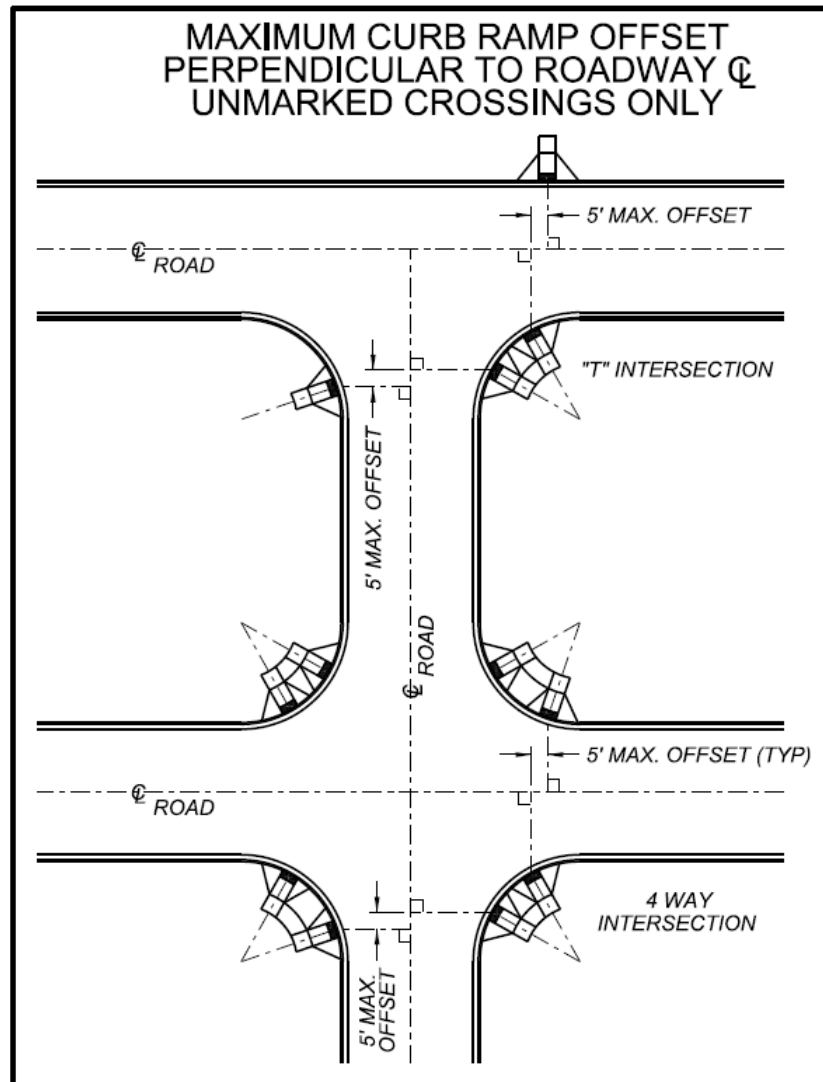
MAG 238-3: Parallel Curb Ramp (Not allowed except for retrofit purposes. Use requires special approval from MCDOT)

MAG 251: Return Type Driveways (Use is limited to industrial and commercial, not to be used for residential driveways)

Note: Any deviation from the standard details must be approved by MCDOT engineering staff in consultation with MCDOT planning staff.

Paired Ramps

The offset between paired ramps at unmarked crosswalks may be adjusted to improve alignment with the receiving ramp. The control points of paired ramps should be within five feet of each other, as shown in the figure below. The control point is the mid-point of the ramp at the face of curb. Paired ramps within marked crosswalks likely already have an acceptable offset.



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Construction Tolerances

The ADA allows a tolerance of 1/4-inch in 10 feet when evaluating **existing** facilities impacted by an alteration or maintenance project. This calculates to 0.2 percent. For example, if the cross slope of an existing ramp was measured at 2.2 percent, the cross slope would be considered compliant because it is within the construction tolerance level. Any measurement greater than 2.2 percent would not be compliant. All newly constructed facilities should be compliant with the ADA, **without reliance** on the construction tolerance.

Exceptions to Requirements

MCDOT's intent is for all facilities within the public right-of-way to meet all of the 2010 Standards described within this document. However, the ADA does include several specific exceptions described below.

Safe Harbor

The ADA includes a "safe harbor" provision, wherein public entities are not required to retrofit elements within a path of travel that were in compliance with the 1991 standards before March 15, 2012. This means that if an element existed *and* complied with the 1991 standards prior to March 15, 2012, no updates would be required to that element. For example, the 1991 standards required detectable warnings to be installed on curb ramps, which means that any existing ramps without detectable warnings would not fall within the safe harbor provision and must be updated. Safe harbor does not apply when a curb ramp or other feature is impacted by construction or alteration projects.

Technical Infeasibility

ADA compliance may be considered technically infeasible based on constraints imposed by existing conditions or if the required improvements would introduce a disproportionate cost to the project. If it appears as though a facility will not be brought into compliance due to technical infeasibility or disproportionate costs, the rationale for this exemption must be documented using the design exception process as follows:

A design exception shall be submitted in compliance with requirements of Chapter 1, Section 1.1 of the MCDOT Roadway Design Manual. The MCDOT ADA Coordinator or designee will be included in the review to determine if the requested exception meets the standard for technical infeasibility or disproportionate cost. A letter of decision for the design exception request will normally be provided within a three week time period. The exception shall be filed with the project documents.

Note: In situations where compliance is not feasible, the ADA requires that agencies conduct all work which is determined to be "technically feasible" given the constraints imposed by the existing conditions. Improvements should be made to ensure that the facility will be as close as possible to compliant.

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Links

Standard Details

MCDOT Standard Details

<https://www.maricopa.gov/DocumentCenter/View/43716/MCDOT-2019-Supplement-to-MAG-Specifications-and-Details?bidId=>

MAG Standard Details

https://www.azmag.gov/Portals/0/Documents/MagContent/2019_Detail-Drawings-All-Bookmarked.pdf

ADA Construction Tolerances

<https://www.access-board.gov/research/completed-research/dimensional-tolerances/introduction>

ADA Standards

2010 ADA Standards for Accessible Design

https://www.ada.gov/2010ADASTandards_index.htm

ADA Best Practices Tool Kit for State and Local Governments

<https://www.ada.gov/pcatoolkit/toolkitmain.htm>

Chapter 6: Curb Ramps and Pedestrian Crossings

<https://www.ada.gov/pcatoolkit/chap6toolkit.htm>