



# Americans with Disabilities Act TRANSITION PLAN

Nevada  
Department of  
Transportation  
External Civil  
Rights - ADA/504  
Section



February 2016



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Nevada Department of Transportation  
External Civil Rights – ADA/504 Section

February 2016





BRIAN SANDOVAL  
Governor

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION

RUDY MALFABON, P.E., *Director*

Dear Citizens of Nevada,

At the Nevada Department of Transportation, our mission is providing a top transportation system to keep all of Nevada safe and connected. And we are committed to providing a safe, efficient and accessible transportation system to all, as defined through the federal Rehabilitation and Americans with Disabilities acts.

All NDOT road improvements are made with accessibility in mind, and all new facilities are constructed to meet accessibility needs. But, roads and facilities built decades ago may not fully reach today's accessibility standards. In our rural communities, limited infrastructure and transportation options also create need for important improvements. We have surveyed and mapped all state-owned sidewalks, ramps, pedestrian push buttons and other roadway features for ADA compliance. From that data, we pinpointed and prioritized the important accessibility improvement projects that you will find listed in this plan.

As we make these enhancements, collaboration with the public and partner agencies is key. We invite and appreciate all public insight and feedback to help improve transportation accessibility. We have established an ADA grievance procedure. On-line through [nevadadot.com](http://nevadadot.com), or via e-mail, letter, phone call or other accessible format, the public can report accessibility concerns. We'll conduct a responsive and thorough review to work toward enhanced accessibility.

And we want that communication to be a two-way street. While the public shares valuable insight with us, we will provide detailed accessibility information through public notices, public meetings and outreach, on-line website resources and more.

We take pride in continually collaborating with our public agency partners to improve and maintain safe and accessible facilities on Nevada roads. Whether sharing funding or reviewing engineering designs to ensure that federally-funded projects meet accessibility needs, we work together to make Nevada's transportation network fully usable by all. We are also pleased to provide vital local transit services in rural communities that help those with limited mobility get to doctor appointments, grocery stores and elsewhere they need to go.

I am pleased to present the following ADA Transition Plan which will lead us in our continued efforts to make Nevada's transportation system safe and accessible for all!

Sincerely,

Rudy Malfabon, P.E.

*Director, Nevada Department of Transportation*





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## 1 INTRODUCTION

### 1.1 NDOT MISSION

It is the Nevada Department of Transportation's (NDOT) mission to provide a better transportation system for Nevada through unified and dedicated efforts.

NDOT is committed to improving Nevada's quality of life by providing for a safe, efficient and accessible transportation system that is independently usable by a broad spectrum of users.

The following NDOT Americans with Disability Act Transition Plan (Transition Plan) is intended to serve as a guide to further the mission, vision, core values and goals of NDOT.

### 1.2 PURPOSE

The purpose of the following Transition Plan is to provide NDOT staff, state and local partners, and the citizens of Nevada, NDOT's policies, procedures, and practices to fulfill the requirements of Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. Additionally, this Transition Plan provides information about NDOT's efforts to ensure equal accessibility to NDOT programs and services as well as outlining how NDOT will transition from non-compliance to compliance with ADA for public rights of way accessibility.

### 1.3 BACKGROUND/REQUIREMENTS

#### 1.3.1 Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act makes it illegal for the federal government, federal contractors and state and local governments receiving federal funds to discriminate on the basis of disability. It requires state and local governments ensure persons with disabilities have equal access to any programs, services or activities receiving federal funding. It also requires them to ensure their employment practices do not discriminate on the basis of disability.

#### 1.3.2 Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) was signed into law in 1990. The ADA builds upon the requirements of Section 504 of the Rehabilitation Act and is an important civil rights legislation that prohibits discrimination against people on the basis of disability. This act ensures people with disabilities have equal rights and opportunities as able-bodied people. The ADA is comprised of the following five titles that cover different aspects of public life:

- Title I (Employment)
- Title II (State and Local Government)

- Title III (Public Accommodations)
- Title IV (Telecommunications)
- Title V (Miscellaneous Provisions)

The focus of this Transition Plan is Title II of the ADA which applies to state and local governments and the programs, services and activities they provide. As a State government, NDOT must ensure its programs, services and activities provided to the public are accessible to individuals with disabilities regardless of the source of funding. Under Title II, NDOT must meet the following requirements:

- Designate an ADA/Section 504 Coordinator responsible for coordinating NDOT's efforts to comply with and carry out its responsibilities under Title II
- Make available to applicants, participants, beneficiaries, and other interested parties information regarding Title II and its applicability to the services, programs or activities of NDOT (Notice to the Public)
- Complete a self-assessment of services, policies and practices on compliance with the requirements of Title II
- Adopt and publish a grievance procedure for complaints alleging any action that violates Title II
- Develop a Transition Plan to address how and when NDOT will correct the identified accessibility deficiencies

#### 1.4 STATEMENT OF POLICY

The Nevada Department of Transportation (NDOT) is committed to full compliance with Title II of the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973 and all related regulations, laws, executive orders and directives.

The Deputy Director of Southern Nevada, Tracy Larkin-Thomason as the ultimate responsible person for Title II and Section 504 compliance, assures that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

## 2 ADA/504 PROGRAM ADMINISTRATION

NDOT's ADA/504 Program is administered under the External Civil Rights Division in Carson City, NV. The role of the External Civil Rights Division is to maintain all responsibilities and monitor the administration of programs to ensure compliance under Nevada and Federal laws within NDOT's contracting practices, programs and activities. This division is dedicated to upholding and enforcing all state and federal statutes prohibiting discriminations of persons based on race, color, religion, sex, national origin, age, disability, pregnancy, sexual orientation, genetic information or gender identity or expression.

### 2.1 ADA/504 SECTION OF THE EXTERNAL CIVIL RIGHTS DIVISION

The ADA/504 Section has been established to administer and oversee NDOT's efforts towards compliance with the requirements set forth in Title II and Section 504 to ensure NDOT provides equal access for individuals with disabilities to its services, buildings and rights-of-way. It is comprised of one ADA/504 Coordinator and one Assistant ADA/504 Coordinator. Both positions are located in Carson City, NV.

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#### 2.1.1 ADA/504 Coordinator

The role of the ADA/504 Coordinator is to manage all programs and policies related to compliance with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title II, Title VI, and other federal and state laws associated with regulations for persons with disabilities. The ADA/504 Coordinator will act as the primary contact for all public outreach pertaining to discriminations against persons of disabilities.

The ADA/504 Coordinator will address complaints, investigate formal grievances and track the overall progress of the implementation of the Transition Plan. In addition, the ADA/504 Coordinator will coordinate a multidisciplinary approach to implement and manage NDOT's ADA/504 compliance effort. This effort includes developing policies and procedures for NDOT and providing technical support for planning, design and construction efforts.

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### 2.1.2 Contact for ADA/504 Coordinator

Peter Shaw  
ADA/504 Coordinator  
Nevada Department of Transportation  
External Civil Rights – ADA/504  
1263 S. Stewart Street  
Carson City, NV 89712  
O: (775) 888-7215  
TTY: (855) 878-6368  
F: (775) 888-7235  
E-mail: [PShaw@dot.state.nv.us](mailto:PShaw@dot.state.nv.us)

Jacob Kelgard  
Assistant ADA/504 Coordinator  
Nevada Department of Transportation  
External Civil Rights – ADA/504  
1263 S. Stewart Street  
Carson City, NV 89712  
O: (775) 888-7193  
TTY: (855) 878-6368  
F: (775) 888-7235  
E-mail: [jkelgard@dot.state.nv.us](mailto:jkelgard@dot.state.nv.us)

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### 2.1.3 Contact for Civil Rights Officer

Sonnie Braih  
External Civil Rights Administrator  
Nevada Department of Transportation  
600 South Grand Central Parkway  
Las Vegas NV 89106  
O: (702) 730-3316  
F: (702) 730-3349  
E-mail: [sbraih@dot.state.nv.us](mailto:sbraih@dot.state.nv.us)

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### 2.1.4 Contact for Deputy Director

Tracy Larkin-Thomason  
Deputy Director of Southern Nevada  
Nevada Department of Transportation  
1263 S. Stewart Street  
Carson City, NV 89712  
O: (702) 385-6500  
E-mail: [tlarkin@dot.state.nv.us](mailto:tlarkin@dot.state.nv.us)

## 2.2 COORDINATION WITH OTHER STATE/LOCAL PLANS

Continuous communication and coordination with other government agencies is an important and necessary practice to ensure the proper implementation of accessibility features and ongoing maintenance of ADA compliance. NDOT will continue to communicate and coordinate accessibility needs within public rights-of-way to identify partnering opportunities and working with other public agencies to improve and maintain safe and accessible facilities along NDOT routes.

A partial list of public agencies that NDOT regularly coordinates with is shown below:

- Regional Transportation Commission of Southern Nevada (RTCSNV): Provides both transit services and the transportation planning for Clark County.
- Regional Transportation Commission of Washoe County (RTCWC): Provides both transit services and transportation planning and implementation of surface transportation services in urbanized areas of Reno, Sparks and Washoe County.
- Washoe County, Community Services Department: Plans, designs, constructs, operates, and maintains County-owned facilities.
- Carson Area Metropolitan Planning Organization (CAMPO): Provides both transit services and transportation planning for the Carson urbanized area which includes portions of Douglas County and Lyon County.
- Tahoe Metropolitan Planning Organization (TMPO): Provides both transit services and transportation planning for the Lake Tahoe region.
- City of Reno, Public Works Department: Plans, designs, constructs, operates and maintains city-owned facilities
- City of Sparks, Public Works Department: Plans, designs, constructs, operates and maintains city-owned facilities
- City of North Las Vegas, Public Works Department: Plans, designs, constructs, operates and maintains city-owned facilities
- City of Las Vegas, Public Works Department: Plans, designs, constructs, operates and maintains city-owned facilities
- City of Henderson, Public Works Department: Plans, designs, constructs, operates and maintains city-owned facilities
- Clark County, Public Works Department: Plans, designs, constructs, operates and maintains city-owned facilities
- Carson City Public Works: Plans, designs, constructs, operates and maintains city-owned facilities

## 2.3 COMMUNICATIONS

Relating to Section 35.160(a) of the Americans with Disabilities Act, “A public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others”. NDOT will continue to strive to provide equally effective communications with all persons of the public. These communications can be facilitated by offering a diverse array of alternative communication formats including large print, interpreters, teletypewriter (TTY), or audio. Any of these options may be requested at no cost to the individual.

### 2.3.1 Notice to the Public

NDOT is committed to providing an ADA Notice to the Public (see Appendix 6.4) about their rights and NDOT’s responsibilities under Title II of ADA. NDOT will continually provide this notice and make it

accessible by alternative formats whenever necessary. NDOT may also use the following opportunities in which to provide the Notice to the Public:

- Job announcements
- Periodically in local newspapers
- Public service announcements on local radio and television stations
- NDOT's website
- Post at all NDOT facilities
- Include in NDOT program handbooks
- Include in NDOT activity schedules
- Announcements at meetings of NDOT programs, services, and activities

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### 2.3.2 Training

An essential component of NDOT's ADA/504 compliance effort is training. NDOT's ADA/504 Section will work with a multidisciplinary team to determine the ADA and Title II training needs of the various NDOT divisions. It will work with the multidisciplinary team to develop and deliver targeted training to NDOT staff and associated stakeholders as needed. Training will address both design and policy issues related to ADA and Title II.

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### 2.3.3 Public Outreach

An integral part to the continuing success of meeting NDOT's ADA/504 compliance is the voice of the community. NDOT can ensure that the public is informed and given the opportunity to provide comments by using newsletters, NDOT's Civil Rights website, or public service events. Additional comments or concerns can be provided by the public by filing a complaint form or inquiry to NDOT's ADA/504 Section.

Other possible resources the public may be interested in are, advocacy groups, activist organizations, a Governor's Committee on People with Disabilities, elected officials, or other citizens. Comments or inquiries are always welcomed and can be shared through forms at meetings, NDOT's External Civil Rights Division – ADA/504 Section dedicated telephone, TTY, e-mail, or in person with NDOT's ADA/504 Coordinator or designee.

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### 2.3.4 Website

In compliance with Section 504 of the Rehabilitation Act, NDOT's External Civil Rights Division and ADA/504 Section has made their information accessible to the public via NDOT's website.

The general public is strongly encouraged to inform NDOT's ADA/504 Section of any problems with accessibility they may encounter within their daily travel along public access routes. NDOT's ADA program website contains all information needed to submit a grievance by the public. Contact information for the ADA/504 Section is listed on the website, as well as in Section [2.1.2](#) of this Transition Plan.

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### 2.3.5 Social Media

Another means of keeping the public informed of pertinent information, upcoming events, and new projects is through social media. Our Public Information division maintains daily updates to NDOT's various social media accounts and can be accessed by the following links:

- Facebook - <https://www.facebook.com/NevadaDOT/>
- Instagram - <https://instagram.com/nevadadot/>
- YouTube - <https://www.youtube.com/user/NVDOT>
- LinkedIn - <https://www.linkedin.com/company/nevada-dept.-of-transportation>
- Twitter - <https://twitter.com/nevadadot>

## 3 ADA GRIEVANCE PROCEDURE

28 CFR 35.107(b) requires a public entity that employs more than 50 people to adopt and publish a grievance procedure providing for the prompt and equitable resolution of complaints alleging discrimination on the basis of disability access to any governmental services provided by the entity.

The resolution of any complaint or inquiry will require reviewing the nature of the noncompliance, establishing governing entities and reviewing options for accommodating remedies to the location of interest. In determining possible solutions to the issue, NDOT will consider the health and safety of others, the feasibility of alterations, the cost of the possible solutions, availability of funding, ease of implementation and how the solution compares in priority to other proposed ADA projects. The resolution of any one complaint or inquiry by NDOT does not constitute a precedent upon which NDOT is bound to or which the informant party shall solely rely.

NDOT shall take all necessary steps to ensure communications with any and all members of the public, notifying when the ADA complaints are addressed appropriately. Guidelines established within the following Grievance Procedures are intended to safeguard the processing of all NDOT associated ADA/504 concerns.

### 3.1 PROCEDURE

Complaints pertaining to disability based discrimination and ADA/504 accessibility shall be processed through the following formal procedures established by NDOT.

#### 3.1.1 Filing a Complaint

All complaints should be submitted to NDOT's External Civil Rights Division – ADA/504 Section within 90 calendar days after the alleged discrimination. A complaint may be submitted via the online Complaint Form, in writing via e-mail or the US Postal Service, or via telephone. NDOT/State employees with concerns regarding ADA or discriminatory issues should contact their agency human resources or personnel representative, or a complaint can be filed through NEATS. Further information is available on the [Nevada State Human Resources Management](#) web page.

To ensure prompt and equitable resolution of complaints, NDOT allows for multiple methods of filing a complaint regarding disability based discrimination, outlined in the following sections.

##### 3.1.1.1 On-Line Complaint Form

A disability based discrimination complaint may be submitted using the Complaint Form available from NDOT's website at [www.nevadadot.com/ADA](http://www.nevadadot.com/ADA). An individual submitting the complaint form shall complete it to the fullest extent possible.



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#### 3.1.1.2 Telephone/Teletypewriter (TTY)

A verbal complaint may be submitted to NDOT's ADA/504 Section via telephone communication. A teletypewriter (TTY) machine is also available for the hearing impaired. As a result of the telephone/TTY conversation, NDOT's ADA/504 Section representative shall fill out a Complaint Form on behalf of the calling party.

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#### 3.1.1.3 Email Communications

A complaint may be submitted to the ADA/504 Section via NDOT's ADA Program email address: [ADAProgram@dot.state.nv.us](mailto:ADAProgram@dot.state.nv.us).

The ADA/504 Section staff will respond to the submitted email and attach a Complaint Form to be completed by the complainant and returned back to the ADA/504 Section staff.

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#### 3.1.1.4 Alternative Methods

Alternative means of submitting a complaint are available to persons whom require additional assistance. Requests may include: documents in different formats; large print, translators, audio recordings, etc. Requests for alternative methods of submitting a complaint or inquiry should be made through the ADA/504 Section staff via the telephone/TTY or an email to [ADAProgram@dot.state.nv.us](mailto:ADAProgram@dot.state.nv.us).

Requests should include the following information:

- Applicant's name, mailing address, telephone number and email address.
- A description of what accommodation(s) may be needed.
- What format(s) of accommodations are preferred, if applicable.
- Whether a specific program or service typically used by applicant is preferred.

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#### 3.1.2 Complaint Investigation and Resolution

Within 15 calendar days of receiving a complaint, the ADA/504 Coordinator or designated representative will contact the party initiating the grievance process (complainant) and will confirm the complaint details.

Once the complaint details are verified through phone coordination and/or an in-person meeting with the complainant, the ADA/504 Coordinator or designated representative will verify jurisdiction, investigate the accessibility issue and provide a response to the complainant within 45 calendar days, using the most appropriate format, outlining the investigation findings and proposed solution. If the accessibility issue is not within NDOT's jurisdiction then the ADA/504 Coordinator will contact and forward the complaint to the associated agency and notify the complainant.

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#### 3.1.3 Appealing the Resolution

If the complainant is not satisfied with the final decision made by the ADA/504 Coordinator, the complainant may appeal the decision to the Civil Rights Officer. The appeal must be filed within 15 calendar days of receiving the final decision. Within 15 calendar days of receiving the appeal, the Civil

Rights Officer will contact the individual filing the appeal to discuss the matter. The Civil Rights Officer will review the grievance file and complete any additional investigation required to address the appeal. After completing the review of the file and investigating the matter, the Civil Rights Officer shall provide a response in the most appropriate format. The response shall be provided within 15 working days after the Civil Rights Officer initially contacted the individual about the appeal. The response to the appeal shall be documented and kept on file in the ADA/504 Section for a minimum of 3 years.

## 4 SELF ASSESSMENT

The first step to developing an ADA Transition Plan is to obtain an inventory of barriers and identify the existing condition of accessibility of public information and features on NDOT owned facilities and public rights-of-way.

### 4.1 PUBLIC INFORMATION ACCESS

#### 4.1.1 Website

In its efforts to maintain public accessibility, NDOT has placed a high priority on ensuring its website information is accessible and relatable to all citizens. The ADA/504 Section of NDOT will continue to strive for public accessibility on its public webpages to better reflect ADA and Section 508 Rehabilitation Act needs and requirements. Webpage implementation will go through a periodic internal review process to ensure optimal accessibility quality.

#### 4.1.2 Public Meetings

All public meetings and hearings held by NDOT are required to be accessible to all persons of the public. Public meetings, training sessions, or other programs or events must be in an accessible location and provide necessary accommodations to all persons as indicated as such on a meeting notice to the public. Further guidance regarding meeting accommodations for accessibility can be obtained on the U.S. Department of Justice webpage, [Accessible Information Exchange: Meeting on a Level Playing Field](#).

NDOT will provide qualified interpreters upon request and can provide documents in an accessible electronic format or other alternative formats such as large print. Requests for such accommodations at meetings or events should be made with as much advance notice as possible prior to the meeting or event.

Requests for accommodations at a meeting or event should include the following information:

- The requestor's name, address, email address and telephone number (if any)
- A description of meeting or event, including the location of the meeting or event
- A brief description of what accommodation is needed, (e.g. interpreters, alternative format of materials, etc.)

Requests for accommodations regarding meetings or events can be made via telephone, teletypewriter or by sending an email to [ADAProgram@dot.state.nv.us](mailto:ADAProgram@dot.state.nv.us).

The NDOT ADA/504 Coordinator, or designee, will respond to the request at least 24 hours before the scheduled time of the meeting or event.

## 4.2 FACILITIES/BUILDINGS

The Architectural Division of NDOT hired a consultant in 2012 to conduct site compliance inspections of many NDOT owned and operated facilities. State facilities included the NDOT Headquarters building in Carson City, district offices, maintenance facilities, and the Nevada State rest areas. This extensive inspection and survey was done to identify the condition of the existing facilities and note any accessibility deficiencies.

Working in conjunction with the Architectural Division, the ADA/504 Section will conduct a more extensive ADA exclusive checklist and survey of all NDOT owned and operated facilities over the next 18 months. The survey will show where all facility deficiencies are, allowing for the development of a facilities Master Plan. When completed, the updated self-assessment data will be made available and displayed similar to the ADA Feature Inventory interactive GIS map.

## 4.3 PUBLIC RIGHTS-OF-WAY

A comprehensive survey was conducted to evaluate the current condition of accessibility features within NDOT's public rights-of-way. The statewide self-assessment was completed in July of 2015. The field level survey of state maintained roadways collected condition data on sidewalks (width, cross slope, vertical and horizontal discontinuities), ramps (slopes, landing pads, etc.), driveways (cross slope), and pedestrian push buttons (horizontal and vertical distances, audio and vibrotactile elements, etc.).

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### 4.3.1 Database

The resulting data from our field survey makes up our ADA Feature Inventory database. The raw data has been analyzed and referenced to the 2011 DRAFT Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right of Way (PROWAG) standards to determine compliance with ADA accessibility. The ADA Feature Inventory is an interactive Geographic Information Systems (GIS) map available for viewing via our website at [www.nevadadot.com/ADA](http://www.nevadadot.com/ADA) or the direct link at <http://ndot.maps.arcgis.com/home/>.

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#### 4.3.1.1 Data Collection Priorities

The comprehensive statewide data collection focused on key accessibility features for all state maintained pedestrian access routes. All data has been collected and inventoried into a database and displayed in our interactive online GIS map.

The data collected includes:

- Missing Features: Can be cutouts in pathway, sidewalk without a ramp at intersection, or abrupt sidewalk endings.
- Discontinuities: Irregular vertical or horizontal displacement of sidewalk, oversized joint spacing, spacing in grate too large, incorrect grate direction in relation to direction of travel, or excessive sidewalk cracking.

- Accessible Pedestrian Signal (APS) and Pedestrian Pushbutton: Distance from sidewalk surface to pushbutton, presence of audio, vibrotactile and visual cues, as well as the pushbutton height on pole.
- Residential Driveway: Cross slope and wing slopes.
- Narrow Access: Any obstruction in path of travel which decreases width to less than 48”.
- Curb Ramp: Presence of detectable warning at street edge of ramp, slopes of ramp wings, slope of ramp, presence of landing pad, and cross slope of landing pad.

#### 4.3.1.2 Data Maintenance

The field data will be updated to reflect improvements constructed by NDOT or installed via encroachment permits. The Design Division Standards Compliance Section in coordination with the ADA/504 Section will conduct field reviews of these projects. The ADA Feature Inventory Database and GIS map will be updated annually, at a minimum, to reflect the new data.

#### 4.3.2 NDOT Accessibility Status – Self-Assessment Summary

Over 24,000 ADA feature points were collected statewide, detailing all required accessibility attributes for NDOT’s public rights-of-way. We have analyzed this data and determined the following compliance levels:

NDOT Accessibility Features (Statewide)				
ADA Access Feature	Compliant	Non-Compliant	Total	% Compliant
Ramps	4918	4406	9324	53%
APS and Pedestrian Pushbutton	2139	1741	3880	55%
Residential Driveway	261	4360	4621	6%

Missing Features	
Sidewalk	122,365 feet
Ramps	302
APS and Pedestrian Pushbutton	8

Other Barriers	
Narrow Access	6112
Discontinuities	827

The Narrow Access, Discontinuities and Missing Features data does not have a percentage compliance measure, as the collected field data only counts non-compliant features. The Missing Features portion of this data is an all-inclusive data portion where features such as sidewalk do not continue along the

public rights-of-way where pedestrians are likely to travel, ramps are not located at roadway crossings, and pedestrian push buttons are not at signaled intersections. The total length in linear feet of missing sidewalk is outlined in this dataset.

The Self-Assessment inventory provides NDOT a baseline of compliance/non-compliance with which to measure its progress through the implementation of this Transition Plan. As projects are completed, this data will be updated to directly translate progress as the Compliant Count totals increase and the Non-Compliant Count totals decrease. NDOT's actions and future progress goals will be discussed in the following Transition Plan section.

## 5 TRANSITION PLAN

As a requirement of the Americans with Disabilities Act, this Transition Plan provides NDOT a method to define, schedule and implement ADA-required improvements. This plan is a living document looking to the future to develop accessible transportation infrastructure. NDOT's vision of a transportation system that is accessible to all people, regardless of ability, is considered in the design and construction of all projects. With this plan, NDOT's goal is to bring its facilities into compliance, and provide for continuity and consistency throughout its system.

### 5.1 NDOT ACTIONS FOR ACHIEVING ADA COMPLIANCE

As a general practice, NDOT updates curb ramps as part of its Pavement Rehabilitation Program (3R), where right-of-way and funding allow. Capacity projects also include updating curb ramps as part of the scope of the project. It is the intent of this Transition Plan to further NDOT's efforts by incorporating a holistic approach to its ADA projects and not focus solely on curb ramps. NDOT will continue to address curb ramps on capacity projects and, as technically feasible (see Section 5.1.4), on alteration projects. ADA specific projects will also be developed to address ADA issues holistically over a particular stretch of roadway. These ADA projects may be completed as independent projects or may be combined with other projects to maximize the use of the available funding and minimize impacts to the public. Refer to Appendix 6.8 – ADA 5 Year Plan of Projects for a list of ADA improvement projects NDOT is planning on delivering over the next 5 years.

Planned NDOT buildings/facilities enhancement projects are prioritized with the focus of addressing any accessibility deficiencies identified from the 2012 Architectural site inspections. Future NDOT efforts will include the development of a facilities improvement Master Plan, based on the updated planned facilities self-assessment data, which will identify a prioritization for facility deficiencies and a plan of projects to be delivered over time.

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#### 5.1.1 Prioritization Criteria

NDOT will evaluate the following criteria in planning and developing ADA projects:

- Safety – factors considered include number and/or type of pedestrian crashes, traffic volume and the functional classification of the roadway, which indicates the character of the roadway in terms of accessibility and mobility.
- Existing Conditions – Identifies level of compliance with ADA standards in terms of curb ramps, sidewalk irregularities due to vertical differences, horizontal gaps and slopes, location of pedestrian push buttons, pedestrian access route considering sidewalk width and length, and residential driveways slope and cross slope requirements.
- Complaints – number of complaints.
- Pedestrian Generators – factors in the density and types of services or facilities that have pedestrian traffic, such as essential services in the form of government services, hospitals,

emergency services, and schools; transit stops; attractions such as stores, recreational facilities and libraries; and residential developments.

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#### 5.1.2 Budget (Program Target + Other Projects)

The Self-Assessment of attributes for NDOT's public rights-of-way resulted in accessibility improvements equating to roughly \$50 Million for construction costs, not including cost for acquiring right of way. As a part of its commitment to meeting ADA and Title II requirements, NDOT has provided a targeted allocation range of two to five million dollars (\$2,000,000 to \$5,000,000) a year for ADA improvement projects. This two to five million dollars is in addition to funding planned or expended through the construction activities of other NDOT programs, such as 3R, capacity, safety, etc.

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#### 5.1.3 Timing

NDOT has completed a survey of pedestrian facilities within its rights-of-way. This survey has generated a report of noncompliant locations. NDOT is currently in the process of analyzing that report and establishing potential projects to bring those deficiencies into compliance. As potential projects are identified, they are evaluated using the established criteria to determine their priority in the program and to generate a list of proposed projects for future years.

This list will be further refined considering other factors that impact project delivery such as environmental requirements, rights-of-way requirements, constructability and a logical sequence to the projects to maximize the provided funding for ADA projects. Then a list of projects for the next five years will be generated. This list will be used to incorporate the projects into NDOT's work program. The progress and schedule of the ADA projects will be updated, at a minimum, annually. Adjustments to the list may be made as the projects proceed through the delivery process and issues arise.

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#### 5.1.4 Technically Infeasible Locations

Any existing NDOT pedestrian facility or features being altered shall be made accessible to the maximum extent feasible within the scope of the alteration.

NDOT recognizes that there are locations where it is "technically infeasible" to bring the facilities or features into full compliance due to existing physical site constraints. Alterations to features, spaces, or facilities within public rights-of-way are considered technically infeasible when existing physical site constraints such as underlying terrain, right-of-way availability, underground structures, adjacent developed facilities, drainage, or the presence of a notable natural or historic feature, make it impracticable to bring the altered elements into compliance. (United States Access Board (PROWAG), 2011, p. 20)

For these locations, NDOT will address any accessibility deficiencies as feasible to ensure maximum compliance is achieved on the alteration project. If alterations are determined technically infeasible to achieve ADA compliance, then the pedestrian facility and features shall be documented with justification, approved by the Chief Road Design Engineer and identified as a project in the Transition Plan's ADA 5 Year Plan of Projects to be addressed as soon as possible. If alterations are determined



structurally impracticable to achieve ADA compliance, then the pedestrian facility and features shall be documented with justification and approved by the Chief Road Design Engineer.

Technical infeasibility does not apply for new construction. All new construction projects including pedestrian facilities or features shall meet current ADA standards unless it is structurally impracticable (See 28 CFR 35.151(a)(2)).

## 5.2 ROLES & RESPONSIBILITIES AT NDOT

Several different NDOT divisions play a direct role in assuring ADA compliance for the department's facilities and rights-of-way.

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### 5.2.1 Roadway Design

Roadway Design is responsible for designing and developing contract plans for the Department including ADA compliant designs for roadway new construction as well as roadway alteration projects. All new construction projects will be designed to current ADA standards unless structurally impracticable to do so.

The Standards and Manuals section within Design reviews contract plans and access permits to ensure ADA compliance. This section is also responsible for updating the ADA features inventory database as permits and construction contracts are constructed.

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### 5.2.2 District Maintenance

NDOT's Maintenance forces are responsible for reporting ADA feature compliance issues, on NDOT facilities and right-of-way, to the ADA Coordinator as they become aware of them. Minor ADA feature compliance issues such as impeding tree branches, noncompliant signs, minor discontinuities, etc. shall be directly addressed by the Maintenance forces as soon as possible.

When District Maintenance develops a contract which performs a resurfacing or "alteration" of the roadway (see Appendix 6.3 for resurfacing scope that constitutes an alteration), it is responsible for ensuring the appropriate ADA improvements are incorporated in the contract. Similarly, if a maintenance project scope alters or impacts pedestrian accessibility elements, they shall be addressed accordingly.

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### 5.2.3 District Construction

When District Construction develops a contract which performs a resurfacing or "alteration" of the roadway (see Appendix 6.3 for resurfacing scope that constitutes an alteration), it is responsible for ensuring the appropriate ADA improvements are incorporated in the contract. Similarly, if a maintenance project scope alters or impacts pedestrian accessibility, the elements shall be addressed accordingly.

Each of NDOT's three District Construction sections are responsible for enforcing ADA compliance during construction activities and providing post construction inspection for ADA compliance.

District Construction will also include Design's Standards and Manuals group on contract reviews and will also coordinate/notify them on a quarterly basis of completed contracts so the ADA database can be updated.

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#### 5.2.4 District Traffic

The District Traffic sections are responsible for enforcing ADA compliance on permit applications and improvement contracts. When District Traffic develops a contract which performs an "alteration" of the roadway (see Appendix 6.3 for resurfacing scope that constitutes an alteration) or alters or impacts pedestrian accessibility, it is responsible for ensuring the appropriate ADA improvements, including accessible pedestrian signals (APS), are incorporated in the contract.

District Traffic will also include Design's Standards and Manuals group on permit reviews and will also coordinate/notify them on a quarterly basis of completed permits so the ADA database can be updated.

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#### 5.2.5 Headquarter Maintenance

When Headquarter Maintenance develops a contract which performs a resurfacing or "alteration" of the roadway (see Appendix 6.3 for resurfacing scope that constitutes an alteration), it is responsible for ensuring the appropriate ADA improvements are incorporated in the contract. Similarly, if a maintenance project scope alters or impacts pedestrian accessibility elements, they shall be addressed accordingly.

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#### 5.2.6 Traffic Safety

The Traffic Safety Engineering division is responsible for incorporating ADA improvements into contract plans as appropriate, including consultant generated contract plans, and provide plans to the Roadway Design Standards Compliance section for review to ensure compliance with ADA requirements.

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#### 5.2.7 Traffic Operations

The Traffic Operations division is responsible for incorporating ADA improvements into contract plans as appropriate, including consultant generated contract plans, and provide plans to the Roadway Design Standards Compliance section for review to ensure compliance with ADA requirements.

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#### 5.2.8 Project Management

The Project Management division is responsible for incorporating ADA improvements into contract plans as appropriate, including consultant generated contract plans.

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#### 5.2.9 Architecture

The Architecture Division is responsible for designing, constructing and inspecting ADA compliant improvements to NDOT buildings and rest areas.

## 5.3 MONITORING COMPLIANCE PROGRESS

### 5.3.1 Annual Performance

This Transition Plan is a living document and will be updated annually to reflect ADA program project and process updates as well as report on the progress of the Department's statewide ADA compliance for its facilities and rights-of-way.

## 5.4 TECHNICAL COMPLIANCE – DESIGN STANDARDS

The following are the guides and standards NDOT uses to ensure ADA compliance as we design and construct improvements to our facilities:

- Nevada Department of Transportation Road Design Guide (most current edition)  
[http://www.nevadadot.com/uploadedFiles/NDOT/About\\_NDOT/NDOT\\_Divisions/Engineering/Design/2010\\_Road\\_Design\\_Guide.pdf](http://www.nevadadot.com/uploadedFiles/NDOT/About_NDOT/NDOT_Divisions/Engineering/Design/2010_Road_Design_Guide.pdf)
- Nevada Department of Transportation Standard Specifications for Road and Bridge Construction (most current edition)  
[http://www.nevadadot.com/About\\_NDOT/NDOT\\_Divisions/Engineering/Specifications/Specifications.aspx](http://www.nevadadot.com/About_NDOT/NDOT_Divisions/Engineering/Specifications/Specifications.aspx)
- Nevada Department of Transportation Standard Plans for Road and Bridge Construction (most current edition)  
[http://www.nevadadot.com/About\\_NDOT/NDOT\\_Divisions/Engineering/Specifications/Standard\\_Plans.aspx](http://www.nevadadot.com/About_NDOT/NDOT_Divisions/Engineering/Specifications/Standard_Plans.aspx)
- Public Right-of-Way Accessibility Guidelines (PROWAG)  
<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/proposed-rights-of-way-guidelines>
- Department of Justice 2010 ADA Standards  
<http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards>
- 2010 ADA Standards for Accessible Design  
[http://www.ada.gov/2010ADASTandards\\_index.htm](http://www.ada.gov/2010ADASTandards_index.htm)
- Architectural Barriers Act (ABA) Standards  
<http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/aba-standards>

When NDOT designs access to its public rights of way, PROWAG is used as the primary design guide, The 2010 ADA Standards for Accessible Design is used for designing access to our facilities. Other standards noted above serve as supplemental guides depending on the scope of the work entailed.

## 6 APPENDIXES

### 6.1 ADDITIONAL REFERENCE INFORMATION

#### 6.1.1 Web-Links

The following website links provide further information pertaining to Title II ADA and Section 504:

- USDOJ and USDOT Joint Technical Assistance on when curb ramps are required with resurfacing  
[http://www.fhwa.dot.gov/civilrights/programs/doj\\_fhwa\\_ta.cfm](http://www.fhwa.dot.gov/civilrights/programs/doj_fhwa_ta.cfm)
- Glossary of Terms for Resurfacing  
[http://www.fhwa.dot.gov/civilrights/programs/doj\\_fhwa\\_ta\\_glossary.cfm](http://www.fhwa.dot.gov/civilrights/programs/doj_fhwa_ta_glossary.cfm)
- FHWA's Accessibility Resource Library  
<http://www.fhwa.dot.gov/accessibility/index.cfm>
- U.S. Access Board's Proposed Guidelines for Pedestrian Facilities in the Public Rights-of-way  
[Public Rights-of-Way Accessibility Guidelines \(PROWAG\) Notice of Proposed Rule Making, July 26, 2011](http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards)
- Federal regulations containing ADA standards  
<http://www.gpo.gov/fdsys/pkg/CFR-2012-title49-vol1/pdf/CFR-2012-title49-vol1-part37.pdf>
- U.S. Access Board's ADA standards  
<http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards>
- Questions and Answers for ADA/Section 504  
[http://www.fhwa.dot.gov/civilrights/programs/ada\\_sect504qa.cfm](http://www.fhwa.dot.gov/civilrights/programs/ada_sect504qa.cfm)

## 6.2 GLOSSARY OF TERMS

**Accessible:** Describes a site, building, facility, or portion thereof that, under the DOT, complies with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

**Accessible Pedestrian Signal (APS):** A communication device located at traffic signals allowing for pedestrian walk phases using non-visual cues such as, audible tones, vibrotactile features or auditory announcements.

**Accessible Route:** An unobstructed, continuous route for pedestrian travel along a public sidewalk, crosswalk or ramp.

**ADA Accessibility Guidelines (ADAAG):** Also known as the 2010 ADA Standards for Accessible Design, used by NDOT as a supplemental standard under Section 504 of the Rehabilitation Act, contains the scoping and technical requirements for accessibility to buildings and facility sites.

**Alteration:** A change to a facility within the public rights-of-way which may affect access, circulation or use. See Appendix 6.3 for further explanation and examples of alterations related to resurfacing and maintenance.

**Blended Curb Transition:** A curb ramp where the sidewalk is blended into or flush with the street.

**Civil Rights Act of 1991:** To amend the Civil Rights Act of 1964 to strengthen and improve Federal Civil Rights laws, to provide for damages in cases of intentional employment discrimination, to clarify provisions regarding disparate impact actions, and for other purposes.

**Cross Slope:** The slope that is perpendicular to the direction of travel. (See running slope)

**Crosswalk:** A marked path across a roadway providing guidance for pedestrians who are crossing roadways by defining and delineating paths on approaches to and within signalized intersections, and on approaches to other intersections where traffic stops. At non-intersection locations, crosswalk markings legally establish the crosswalk. (FHWA Manual on Uniform Traffic Control Devices 2009 Edition, Sect. 3B.18, p. 383)

**Curb:** A vertical or rolled transition from the roadway or gutter to the sidewalk or planting strip.

**Curb Ramp:** A short ramp cutting through a curb or built up to it.

**Detectible Warning:** A standardized surface feature built in or applied to a walking surface or other elements along a public access path to warn visually impaired persons of a hazard.

**Driveway:** A vehicular path serving as an access point to public roadway from adjacent properties.

**Egress:** A continuous and unobstructed way of exit travel from any point in a building or facility to a public way. A means of egress comprises vertical and horizontal travel which may include doorways, corridors or ramps.

**Element:** An architectural or mechanical component of a facility, space, site or public rights-of-way.

**Facility:** All or any portion of buildings, structures, site improvements, equipment, roads, walks, passageways, parking lots or other real or personal property located on a public rights-of-way.

**Grade:** The slope that is parallel to the direction of travel expressed as a ratio of rise to run, usually expressed in percent.

**Locator Tone:** A repeating audio cue which identifies the location of a pedestrian push button.

**Manual on Uniform Traffic Control Devices (MUTCD):** Issued by the Federal Highway Administration (FHWA) as a standard for designing, installing, and using traffic signs, road surface markings, and signals.

**Parallel Curb Ramp:** A system of two sloped ramps that run parallel to the curb line from a common lower landing which is approximately level with the street.

**Pedestrian Access Route (PAR):** Any walk or path intended for pedestrian movement or activity.

**Perpendicular Curb Ramp:** A curb ramp with a main slope running perpendicular to the curb line. May include one or more flared side slopes.

**Public Rights-of-way (ROW or R/W):** A type of easement granted or reserved over the land for transportation purposes, this can be for highway, public footpath, bike trails or electrical transmission lines.

**Public Right of Way Accessibility Guidelines (PROWAG):** Used by NDOT as its primary design standard for accessibility design within NDOT public right-of-way. Contains the scoping and technical requirements for accessibility to facilities for pedestrian circulation and use located in the public right-of-way.

**Ramp:** A sloped portion of walkway with a running slope greater than 1:20 or 5%.

**Running Slope:** The slope which is parallel to the direction of travel expressed as a ratio of rise to run, usually expressed in percent.

**Sidewalk:** The portion within the public rights-of-way which is improved for use by pedestrians.

**Signage:** Graphical information displayed as, symbols, emblems, words, tactile or pictorial information.

**Street Furniture:** Elements in the public rights-of-way which are intended for use by pedestrians such as benches, mailboxes, and other usable equipment.

**Structurally Impracticable:** Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of the terrain prevent the incorporation of accessibility features. Any portion of a facility that can be made accessible shall be made accessible to the extent that it is not structurally impracticable. (See 28 CFR 35.151(a)(2))

**Tactile:** Describes an object which can be perceived using the sense of touch.

**TTY (Tele-Typewriter):** A device similar to a typewriter which has a small readout. Employs interactive text based communications through the transmission of coded signals across the standard telephone network. Text telephones are also sometimes referred to as TTD (telecommunication devices for deaf persons) machines, however not common.

## 6.3 ALTERATIONS THROUGH RESURFACING



**U.S. Department of Justice**  
Civil Rights Division  
*Disability Rights Section*



**U.S. Department of  
Transportation  
Federal Highway  
Administration**

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### **Department of Justice/Department of Transportation Joint Technical Assistance<sup>1</sup> on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing**

Title II of the Americans with Disabilities Act (ADA) requires that state and local governments ensure that persons with disabilities have access to the pedestrian routes in the public right of way. An important part of this requirement is the obligation whenever streets, roadways, or highways are **ALTERED** to provide curb ramps where street level pedestrian walkways cross curbs.<sup>2</sup> This requirement is intended to ensure the accessibility and usability of the pedestrian walkway for persons with disabilities.

An alteration is a change that affects or could affect the usability of all or part of a building or facility.<sup>3</sup> Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, **RESURFACING**, widening, and projects of similar scale and effect.<sup>4</sup> Maintenance activities on streets, roads, or highways, such as filling potholes, are not alterations.

Without curb ramps, sidewalk travel in urban areas can be dangerous, difficult, or even impossible for people who use wheelchairs, scooters, and other mobility devices. Curb ramps allow people with mobility disabilities to gain access to the sidewalks and to pass through center islands in streets. Otherwise, these individuals are forced to travel in streets and roadways and are put in danger or are prevented from reaching their destination; some people with disabilities may simply choose not to take this risk and will not venture out of their homes or communities.

Because resurfacing of streets constitutes an alteration under the ADA, it triggers the obligation to provide curb ramps where pedestrian walkways intersect the resurfaced streets. See *Kinney v. Yerusalim*, 9 F 3d 1067 (3rd Cir. 1993). This obligation has been discussed in a variety of technical assistance materials published by the Department of Justice beginning in 1994.<sup>5</sup> Over the past few years, state and local governments have sought further guidance on the scope of the alterations requirement with respect to the provision of curb ramps when streets, roads or highways are being resurfaced. These questions have arisen largely due to the development of a variety of road surface treatments other than traditional road resurfacing, which generally involved the addition of a new layer of asphalt. Public entities have asked the Department of Transportation and the Department of Justice to clarify whether particular road surface treatments fall within the ADA definition of alterations, or whether they should be considered maintenance that would not trigger the obligation to provide curb ramps. This Joint Technical Assistance addresses some of those questions.

## **Where must curb ramps be provided?**

Generally, curb ramps are needed wherever a sidewalk or other pedestrian walkway crosses a curb. Curb ramps must be located to ensure a person with a mobility disability can travel from a sidewalk on one side of the street, over or through any curbs or traffic islands, to the sidewalk on the other side of the street. However, the ADA does not require installation of ramps or curb ramps in the absence of a pedestrian walkway with a prepared surface for pedestrian use. Nor are curb ramps required in the absence of a curb, elevation, or other barrier between the street and the walkway.

## **When is resurfacing considered to be an alteration?**

Resurfacing is an alteration that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another, and includes overlays of additional material to the road surface, with or without milling. Examples include, but are not limited to the following treatments or their equivalents: addition of a new layer of asphalt, reconstruction, concrete pavement rehabilitation and reconstruction, open-graded surface course, micro-surfacing and thin lift overlays, cape seals, and in-place asphalt recycling.

## **What kinds of treatments constitute maintenance rather than an alteration?**

Treatments that serve solely to seal and protect the road surface, improve friction, and control splash and spray are considered to be maintenance because they do not significantly affect the public's access to or usability of the road. Some examples of the types of treatments that would normally be considered maintenance are: painting or striping lanes, crack filling and sealing, surface sealing, chip seals, slurry seals, fog seals, scrub sealing, joint crack seals, joint repairs, dowel bar retrofit, spot high-friction treatments, diamond grinding, and pavement patching. In some cases, the combination of several maintenance treatments occurring at or near the same time may qualify as an alteration and would trigger the obligation to provide curb ramps.

## **What if a locality is not resurfacing an entire block, but is resurfacing a crosswalk by itself?**

Crosswalks constitute distinct elements of the right-of-way intended to facilitate pedestrian traffic. Regardless of whether there is curb-to-curb resurfacing of the street or roadway in general, resurfacing of a crosswalk also requires the provision of curb ramps at that crosswalk.

<sup>1</sup> The Department of Justice is the federal agency with responsibility for issuing regulations implementing the requirements of title II of the ADA and for coordinating federal agency compliance activities with respect to those requirements. Title II applies to the programs and activities of state and local governmental entities. The Department of Justice and the Department of Transportation share responsibility for enforcing the requirements of title II of the ADA with respect to the public right of way, including streets, roads, and highways.

<sup>2</sup> See 28 CFR 35.151(I)(1) (Newly constructed or altered streets, roads, and highways must contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway) and 35.151(i)(2) (Newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways).

<sup>3</sup> 28 CFR 35.151(b)(1).

<sup>4</sup> 2010 ADA Accessibility Standards, section 106.5.

<sup>5</sup> See 1994 Title II Technical Assistance Manual Supplement, Title II TA Guidance: The ADA and City Governments: Common Problems; and ADA Best Practices Tool Kit for State and Local Governments: Chapter 6, Curb Ramps and Pedestrian Crossings under Title II of the ADA, available at [ada.gov](http://ada.gov).

July 8, 2013



## **Glossary of Terms for DOJ/DOT Joint Technical Assistance on the ADA Title II Requirements to Provide Curb Ramps When Streets Roads or Highways are Altered Through Resurfacing**

This glossary is intended to help readers understand certain road treatments referenced on page 2 of the DOJ/FHWA Joint Technical Assistance on the ADA Title II Requirements to Provide Curb Ramps When Streets Roads or Highways are Altered Through Resurfacing. The definitions explain the meaning of these terms from an engineering perspective and are provided in the order in which they appear in the Technical Assistance document.

### **Treatments that are considered alterations of the road surface**

**Reconstruction** – Reconstruction refers to removing all or a significant portion of the pavement material and replacing it with new or recycled materials. This may include full-depth reclamation, where the pavement surface is demolished in place and new pavement surface is applied. In addition, reconstruction may also include grinding up a portion of the pavement surface, recycling it and placing it back, and then adding a wearing surface, such as in cold in-place asphalt recycling. Reconstruction often includes widening or geometrical changes to the roadway profile.

**Rehabilitation** - Rehabilitation refers to significant repairs made to a road or highway surface, including activities such as full slab replacement, filling voids under slabs (slabjacking), widening, and adding additional structural capacity.

**Open-graded surface course** – Open-graded surface course, also known as “open-graded friction course,” involves a pavement surface course that consists of a high-void, asphalt concrete mix that permits rapid drainage of rainwater through the course and off the shoulder of the road. The mixture consists of either Polymer-modified or rubber-modified asphalt binder, a large percentage of one-sized coarse aggregate, and a small amount of fibers. This treatment prevents tires from hydroplaning and provides a skid-resistant pavement surface with significant noise reduction.

**Microsurfacing** – Microsurfacing involves spreading a properly proportioned mixture of polymer modified asphalt emulsion, mineral aggregate, mineral filler, water, and other additives, on a paved surface. Microsurfacing differs from slurry seal in that it can be used on high volume roadways to correct wheel path rutting and provide a skid resistant pavement surface.

**Thin lift overlays** – Thin lift overlays are thin applications of mixtures of hot mix asphalt. Thin lift overlays may also require some milling along curbs, manholes, existing curb cuts, or other road structures to assure proper drainage and cross slopes.

**Cape seal** – A cape seal is a thin surface treatment constructed by applying a slurry seal or microsurfacing to a newly constructed chip seal. It is designed to be an integrated system where the primary purpose of the slurry is to fill voids in the chip seal.

**In-place asphalt recycling** - In-place asphalt recycling is a process of heating and removing around 1-2 inches of existing asphalt and remixing the asphalt with the addition of a binder additive and possible aggregate to restore the wearing surface for placement and compaction. All of this is performed in a train of equipment.

## **Treatments that are considered maintenance of the road surface**

**Crack filling and sealing** – Crack filling and sealing involves placing elastomeric material directly into cracks in pavement.

**Surface sealing** - Surface sealing involves applying liquid sealant to pavement surface in order to stop water penetration and/or reduce oxidation of asphalt products. Sand is sometimes spread over liquid to absorb excess material.

**Chip seals** – Chip Seals involve placing graded stone (chips) on liquid emulsified asphalt sprayed on pavement surface. The surface is rolled to enable seating of chips.

**Slurry seal** – Slurry seals involve spraying a mixture of slow setting emulsified asphalt, well graded fine aggregate, mineral filler, and water on the pavement surface. It is used to fill cracks and seal areas of old pavements, to restore a uniform surface texture, to seal the surface to prevent moisture and air intrusion into the pavement, and to improve skid resistance.

**Fog seals** – Fog seals are a type of surface sealing.

**Scrub sealing** – Scrub sealing is type of surface sealing

**Joint crack seals** – Joint crack seals are usually associated with concrete pavement. This work consists of routing and cleaning existing cracks and joints and resealing to prevent water and non-compressibles from entering into the pavement joints and subgrade materials.

**Joint repairs** – Joint repairs are usually associated with concrete pavement. This work consists of selectively repairing portions of the pavement where the slabs are generally in good condition, but corners or joints are broken. The depth of the patch could be full depth or partial depth.

**Dowel retrofit** – Dowel retrofits are usually associated with concrete pavement. This work involves the installation of dowel bars connecting slabs in existing pavements. Pavement with dowel bar retrofits can have life extensions of as much as 20 years. Its application is almost exclusively on high-speed Interstate highways.

**Spot high-friction treatments** – Spot high-friction treatments involve using epoxy based resin liquids as a binder for an aggregate with high-friction properties. These are used in locations where drivers are frequently braking and the pavement surface has less resistance to slipping.

**Diamond grinding** – Diamond grinding involves using a gang saw to cut grooves in the pavement surface to restore smoothness and eliminate any joint faulting.

**Pavement patching** – Pavement patching involves selectively repairing portions of the pavement where the slabs are generally in good condition, but corners or joints are broken. The depth of the patch could be full depth or partial depth.

July 8, 2013



STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION  
(NDOT)



**ADA NOTICE TO THE PUBLIC**

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), NDOT will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** NDOT does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

**Effective Communication:** NDOT will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in NDOT's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** NDOT will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in NDOT offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of NDOT, should contact the office of *External Civil Rights – ADA, NDOT ADA Coordinator at 775-888-7215* as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the NDOT to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of NDOT is not accessible to persons with disabilities should be directed to:

*Office of External Civil Rights - ADA*  
*NDOT ADA/504 Coordinator*  
*775-888-7215*  
[ADAProgram@dot.state.nv.us](mailto:ADAProgram@dot.state.nv.us)

NDOT will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

## 6.5 COMPLAINT FORM

The following Complaint form can be accessed at: [www.nevadadot.com/ADA](http://www.nevadadot.com/ADA)

### Complaint Form – Disability Based Discrimination

Nevada Department of Transportation – External Civil Rights  
ADA/504 Program  
1263 South Stewart Street  
Carson City, NV 89712  
Phone: (775) 888-7215; Fax: (775) 888-7235  
TTY: (855) 878-6368  
Email: [ADAProgram@dot.state.nv.us](mailto:ADAProgram@dot.state.nv.us)



#### Complainant Information:

Name:  Phone:  Alternate Phone:   
Mailing Address:  City:  State:  Zip:   
Email:  Today's Date: 6/22/2016

#### Preferred method of contact:

Email  Telephone  Mail  Other

#### Nature of complainant disability:

#### Incident details:

Date:  Time:

Location (include street name(s) or route number, nearest cross streets, landmarks, facility name, etc.)

#### Provide a detailed explanation of the accessibility barrier or discrimination:

Select each of the following that are applicable to the access barrier or discrimination complaint:

Public Rights-of Way  Program  Service  Activity

#### Proposed solution to complaint:

Has any other agency been contacted regarding this request?  Yes  No

If yes, what agency or agencies did you contact?

Who were the agents you spoke with?

## 6.6 ADA FEATURE INVENTORY – GIS MAP

An interactive Geographic Information Systems (GIS) map of the statewide ADA Feature Inventory can be found at <https://ndot.maps.arcgis.com/home/>. This map will allow anyone to view details and photos of the condition of ADA features (sidewalk, ramps, pedestrian signals/push buttons, etc.) within NDOT’s right-of-way.

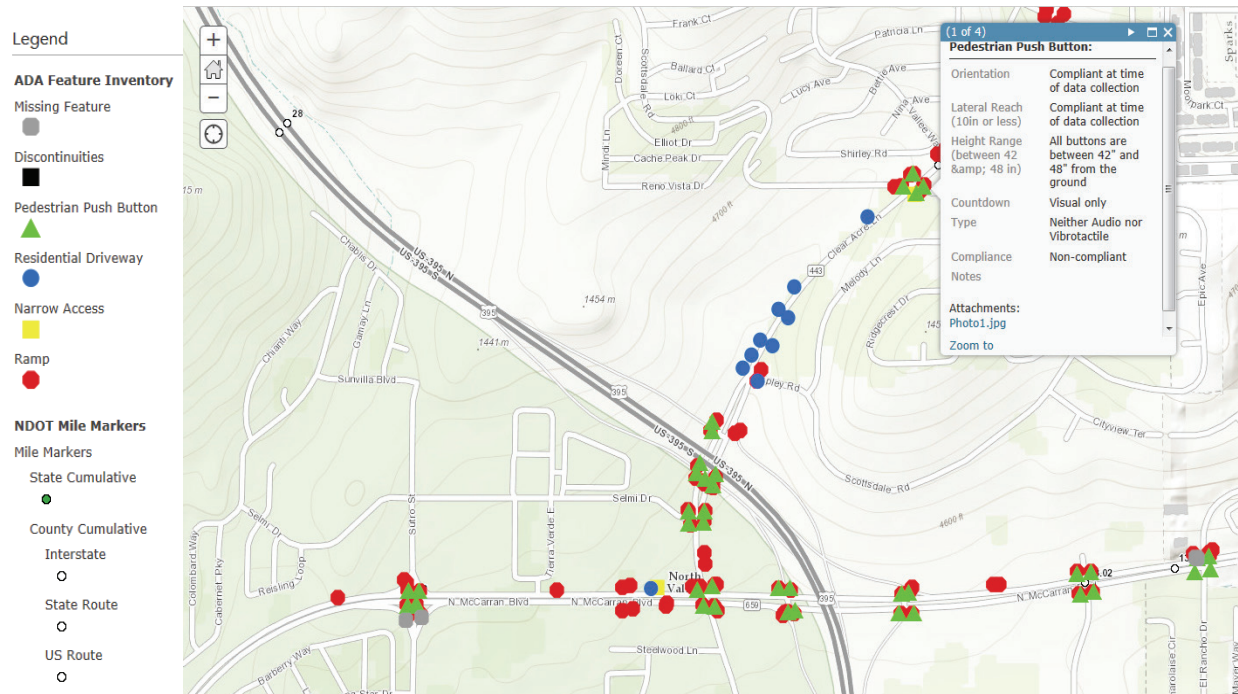


Figure 1-ADA Features on Clear Acre Ln. and N. McCarran Blvd., Reno, NV

## 6.7 NDOT ADA/504 WEBSITE

NDOT’s External Civil Rights ADA Program website can be accessed via the following internet link:

[www.nevadadot.com/ADA](http://www.nevadadot.com/ADA)

The website provides ADA Coordinator contact information, Complaint Form for Disability Based Discrimination, and ADA resource/information links.

## 6.8 ADA 5 YEAR PLAN OF PROJECTS

Below is a comprehensive list of ADA improvement projects planned to be delivered over the next 5 years. The list outlines the project location, scope of work, the projected year for the project to advertise for construction, and the estimated construction cost. This list will be updated annually.



## ADA 5 YEAR PLAN OF PROJECTS

### ADA PROJECTS

NOTE: The projects in this plan are shown in the anticipated delivery year but may be adjusted based on identified right of way needs and environmental impacts.

DIST	PROJ NAME	PROJ SCOPE	2016	2017	2018	2019	2020
1	I 515, Las Vegas, fm Wagonwheel Dr. to Casino Center Blvd.	ADA Ramp, Sidewalk and Luminaire Improvements	\$360,000				
1	SR 599, Las Vegas, N Rancho Dr, at N. Jones Blvd. Ints.	ADA ramp and sidewalk improvements	\$20,000				
1	US 95, Las Vegas, fm. S. Martin L. King Blvd. to Paiute Way	ADA Ramp, Ped Button, and Luminaire improvements	\$165,000				
1	I 15, Las Vegas/Mesquite, fm Primm Blvd. to Sandhill Blvd.	ADA Remediation Including Ramp and Ped Button Improvements	\$220,000				
2	I 80 & I 580/US 395, Reno, fm. Verdi to Vista Blvd. and fm. S. Virginia St. to Stead Blvd.	ADA Ramp and Ped Button Improvements	\$470,000				
3	I 80 Intch ramps in Winnemucca, Battle Mtn, Elko, Wells, and West Wendover.	ADA Ramp and Ped Button Improvements	\$520,000				
1	US 95, Searchlight, MP CL 19.97 to 20.53	ADA Ramp and Sidewalk Improve		\$250,000			
1	CC 215/SR 564, Henderson, fm Stephanie St. to Lake Las Vegas Pkwy	ADA Ramp, Ped Button, and Sidewalk Improvements		\$250,000			
1	I 15, Mesquite, at W. Mesquite Intch. and Pioneer/Sandhill Intch and SR170 at Mesquite Blvd. Ints.	ADA Ramp and Ped Button Improvements		\$20,000			
1	SR 130, S Rainbow Blvd, Las Vegas, fm W Tropicana Ave. to Westcliff Dr.	ADA Ramp, Ped Button, and Sidewalk Improvements		\$500,000			
1	SR 322, Pioche, Main St. fm Railroad Ave. to Cedar St.	ADA Ramp and Sidewalk Improvements		\$160,000			
1	SR 372, Pahump, fm Blagg St. to SR 160 and SR 160 fm E. Acoma Ave. to Lockspur Ave.	ADA Ramp, Ped Button, and Sidewalk Improvements		\$195,000			
1	US 95, Mina, fm 6th St. to Eleventh St.	ADA Ramp, Ped Button, and Sidewalk		\$330,000			
2	US 95, Fallon, fm 500ft N of Sheckler Rd to Keddie St	ADA Ramp, Luminaire, and Sidewalk Improvements		\$190,000			
2	US 50A/US 95A, Fernley, fm Mull Ln to School District Rd	ADA Ramp, Ped Button, and Sidewalk Improvements		\$155,000			
2	SR 659, McCarran Blvd. (East), Reno, fm US395 North to S. Virginia St.	ADA Ramp, Ped Button, Sidewalk, and Luminaire Improvements		\$320,000			
3	FREL17/FREL18, Elko, at I80 ramps and Idaho St. Ints. and FREL18 at Delaware Ave, El Dorado Dr., and Idaho St. Ints.	ADA Ramp Improvements		\$40,000			
3	SR 221, Carlin, fm 3rd St. to Allen St. and SR 766 fm SR 221 to I 80	ADA Ramp and Sidewalk Improvements		\$80,000			
1	SR 589, E Sahara Ave, Las Vegas, fm S Las Vegas Blvd. to S Nellis Blvd.	ADA Ramp, Ped Button, Sidewalk, and Luminaire Improvements			\$1,150,000		
1	SR 147, Lake Mead Blvd., Las Vegas, fm Losee Rd. to Civic Center Dr and Pecos Rd to Lamb Blvd.	ADA Ramp, Ped Button, Sidewalk, and Luminaire Improvements			\$2,170,000		
3	US 93, Ely, fm US50 to E. 15th St.	ADA Ramp and Sidewalk Improve			\$730,000		
3	US 50, Ely, fm W. 1st St. to 0.25 MS of the jct with US 6	ADA Ramp and Sidewalk Improvements			\$450,000		

2	SR 396/SR 398/SR 854/SR 397, Lovelock, SR 396 fm S. Broadway Ints to N. Broadway Ints., SR 398 fm I 80 Intch to 17th St., SR854 fm Jamestown Ave to SR398, SR397 fm 4th St. to 11th St.	ADA Ramp, Luminaire, and Sidewalk Improvements				\$555,000	
3	SR 223, Wells, fm I80 Intch to 600 ft. E. of US93	ADA Ramp, Luminaire, and Sidewalk Improvements				\$265,000	
3	US 50, Eureka, fm 0.054 MN of Parker St. to 0.040 MN of Richmond St.	ADA Ramp and Sidewalk Improvements				\$115,000	
3	US 93A, W. Wendover, fm I80 to MP 53.2	ADA Ramp and Sidewalk Improvements				\$70,000	
3	US 50, Austin, fm Stokes Castle Rd. to 3rd St.	ADA Ramp, Luminaire, and Sidewalk Improvements				\$165,000	
3	All Five Winnemucca Locations	ADA Ramp, Ped Button, Luminaire, a				\$535,000	
3	SR 305, Battle Mtn., fm Broyles Rd. to SR 304 and SR 304 fm Eastgate Dr. to Forrest Ave.	ADA Ramp and Sidewalk Improvements				\$285,000	
1	SR 147, Lake Mead Blvd., Las Vegas, fm Lamb Blvd. to the EUL.	ADA Ramp, Ped Button, Luminaire, and Sidewalk Improvements					\$2,170,000
1	SR 612, N Nellis Blvd, Las Vegas, fm E Russell Rd. to E Charleston Blvd.	ADA Ramp, Ped Button, Luminaire, and Sidewalk Improvements					\$970,000
1	SR 578, Washington Ave., Las Vegas, fm I 15 to Las Vegas Blvd.	ADA Ramp, Ped Button, Luminaire, and Sidewalk Improvements					\$165,000
2	SR 445, Pyramid Way, Sparks, fm Nugget Ave. to Sparks Blvd	ADA Ramp, Ped Button, Luminaire, and Sidewalk Improvements					\$380,000
2	US 50, Fallon, fm Allen Rd. to Sherman St.	ADA Ramp, Ped Button, Luminaire, and Sidewalk Improvements					\$785,000
3	US 93, Wells, fm 500 ft. S of I80 to SR223	ADA Ramp, Luminaire, and Sidewalk					\$265,000
SubTotal:			\$1,755,000	\$2,490,000	\$4,500,000	\$4,130,000	\$4,735,000

**OTHER PROJECTS WITH ADA**

NOTE: The projects in this plan are shown in the anticipated delivery year but may be adjusted based on identified right of way needs and environmental impacts.

DIST	PROJ NAME	PROJ SCOPE	2016	2017	2018	2019	2020
1	SR 147, Lake Mead fm. Civic Center to Pecos - Safety improvements	ADA Ramp and Sidewalk Improvements	X				
1	SR 592, Flamingo Rd, fm. Paradise to Boulder Hwy. MP CL 26.505 to 31.378 (Agreement w/ RTC)	ADA Ramp and Sidewalk Improvements	X				
2	SR 648, Glendale Ave, Reno, fm. Kietzke Ln. to McCarran Blvd. MP WA 2.700 to 5.357	ADA Ramp and Sidewalk Improvements	X				
2	SR 529, Carson St, fm. the jct. w/ US 50 to Fairview Dr. MP CC 0.560 to 2.548	ADA Ramp and Sidewalk Improvements	X				
1	SR 596, Jones Blvd, fm. 1.000 MN of W. Charleston Blvd. to Smoke Ranch Rd. MP CL 43.007 to 45.038	ADA Ramp and Sidewalk Improvements		X			
1	SR 159, Red Rock Rd, fm. 1.989 MW of Durango Rd to an NHS break at Rainbow Blvd. MP CL 17.030 to 21.064	ADA Ramp and Sidewalk Improvements		X			
1	US 6 fm. 0.736 ME of the ES/NY Co. line to US 95. US 95 fm. the ES/NY Co. line to US 6 in Tonopah. MP US 6 NY 0.736 to 1.801; MP US 95 NY 107.220 to 109.509	ADA Ramp and Sidewalk Improvements		X			
1	SR 596, Jones Blvd., Las Vegas, fm Tropicana Ave. to Smoke Ranch Rd.	ADA Ramp and Sidewalk Improvements		X			
2	US 95A(sharedroad US 50A), Lyon Co, fm. The jct. w/ US 50/US 95A in Silver Springs to SR 427. MP LY 0.000 to 14.119 (includes truck lane and passing lane)	ADA Ramp and Sidewalk Improvements		X			
2	SR 667, Kietzke Ln., Reno, fm. N. Lewis St. to Galletti Way - ADA Rehab	ADA Ramp and Sidewalk Improvements		X			
2	SR 667, Kietzke Ln., Reno, fm. Apple St to Purdue Dr. - ADA Rehab	ADA Ramp and Sidewalk Improvements		X			
3	US 50, in Ely, fm. 0.165 ME of Ruth/Kimberly Rd. to US 6. US 93 fm. the Jct. w/ US 50 to 0.646 MN of US 50. MP US 50 WP 61.794 to 68.432; MP US 93 WP 53.450 to 54.096	ADA Ramp and Sidewalk Improvements		X			
1	SR 593, Tropicana Ave., Las Vegas, fm. Dean Martin to Boulder Hwy. MP CL 0.01 to 7.30. Phase 2 (ADA)	ADA Accessibility Improvements			X		
2	I 580, Carson City, US 50/Williams St to 0.661 MS of the CC/WA Co Ln. MP CC 5.254 to 8.950	ADA Ramp and Sidewalk Improvements			X		
2	SR 28, Incline Village, fm 0.242 MN of E Lakeshore Blvd. to the NV/CA St Ln. MP WA 5.217 to 10.990	ADA Ramp and Sidewalk Improvements			X		
2	US 50 fm 0.008 ME of Allen Rd to the EUL of Fallon at Rio Vista. MP CH 19.351 to 21.708	ADA Ramp and Sidewalk Improvements			X		





Prepared by:  
External Rights - ADA/504 Section  
Nevada Department  
of Transportation  
1263 South Stewart Street  
Carson City NV, 89712  
[www.nevadadot.com](http://www.nevadadot.com)



Rudy Malfabon, P.E., Director

Brian Sandoval, Governor