

Check out
the video

Civil Rights Americans with Disabilities Act Transition Plans

www.fhwa.dot.gov/federal-aidessentials

These plans identify actions needed on your projects to correct barriers to individuals with disabilities



The ability to participate in all aspects of civic life should be fundamental for all individuals in the United States. However, for individuals with disabilities, this

fundamental aspect of life, many times, can only be achieved through changes to our public rights of way. The intent of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 is to ensure nondiscrimination and access for individuals with disabilities. This nondiscrimination and accessibility applies to all programs, services, and activities within your community. When barriers exist that limit the ability of individuals with disabilities to fully participate, as identified in the self-evaluation, they must be removed. The self-evaluation is the assessment process used to identify barriers or discriminatory practices that prevent individuals with disabilities from full participation.



The transition plan is the action plan developed from the results of your self-evaluation. This plan itemizes structural barriers and details the necessary steps and timetable to complete required modifications identified in the self-evaluation. It is a “living” document that you must update as often as necessary to make sure that all modifications have been completed.

Transition plans are vital for all local public agencies, or LPAs, because they serve as a road map to correct any and all deficiencies in the facilities that you own or for which you are responsible. This pertains to both now and in the future. The transition plan also specifies how you will provide full and equal rights to, and use of, your public rights-of-way to all pedestrians including those with disabilities.



Just as the self-evaluation requires public participation, the development of a transition plan also requires public participation. People with disabilities can offer important insight into

key issues that may not be readily apparent to individuals who do not have disabilities. Their insight, on the proposed changes outlined in the transition plan, can help to evaluate the impact and help to establish the time frame to remove barriers. In keeping with the philosophy of transparency, it is recommended that you make a copy of the completed transition plan available for public inspection

You should take the necessary steps to conduct a self-evaluation and create or update your plan if you do not have a current transition plan.

The minimum requirements of a transition plan include:



- The specific identification and location of all physical barriers that limit the accessibility of your programs, services or activities for individuals with disabilities
- The detailed outline of the methods that will be used to remove these barriers to make the facility accessible for individuals with disabilities
- The specific timetable with dates for making the respective modifications. This should include a yearly schedule of the interim steps if the transition plan is more than one year long
- The timetable should clearly indicate that higher priority modifications, such as curb ramps, are scheduled first. Identification of an official responsible for implementing transition plan elements

As a best practice, include an estimated cost of each modification for budgeting and prioritization purposes.

When creating and maintaining a transition plan, also take into account new construction, alterations, and existing facilities. All new construction is expected to provide the highest level of accessibility free from architectural and communication barriers.



Facilities identified and evaluated in your self-evaluation that require modifications must be accounted for in your transition plan. The detailed information obtained in your self-evaluation regarding sidewalks, curb ramps, parking lots, pedestrian signals, bus stop, shared use trails, parks, recreational facilities or any other public rights of way, should be considered when developing your transition plan.

Make sure you have up to date transition plan in place. If it is outdated, take the necessary steps to create or update your plan. Your efforts to remove accessibility barriers ensure the ability of individuals with disabilities to fully participate in your community.

Additional Resources

- Information on ADA-Section 504 from FHWA's Office of Civil Rights
http://www.fhwa.dot.gov/civilrights/programs/ada_sect504qa.htm#q11
- Memo clarifying FHWA policy on applying project specific ADA-Section 504 requirements
http://www.fhwa.dot.gov/civilrights/memos/ada_memo_clarificationa.htm
- ADA guidance on developing transition plans specifically for State and local government programs and services
<http://www.ada.gov/taman2.html>
- U.S. Access Board guidelines on developing transition plans for public rights-of-way
<http://www.access-board.gov/prowac/draft.htm>
- Information on applying ADA accommodations in public rights-of way
<http://www.access-board.gov/prowac/alterations/guide.htm>
- Example transition plan that can be used as a model
<http://www.scribd.com/doc/21193230/City-of-Rancho-Cordova-ADA-Transition-Plan-Final>
- Federal regulations covering nondiscrimination in State and local government programs and services for new construction
<http://www.ecfr.gov/cgi/t/text/text-idx?c=ecfr&sid=fcb053fe3e60fd3b34b99728fe3a8ce4&rqn=div8&view=txt&node=28:1.0.1.1.36.4.32.3&idno=28>
- Federal regulations covering nondiscrimination in State and local government programs and services for existing facilities
<http://www.ecfr.gov/cgi/t/text/text-idx?c=ecfr&sid=fcb053fe3e60fd3b34b99728fe3a8ce4&rqn=div8&view=txt&node=28:1.0.1.1.36.4.32.2&idno=28>

The content of this document is not a substitute for information obtained from State departments of transportation, appropriate FHWA Division Offices, and applicable laws. Scenarios have been simplified for emphasis and do not necessarily reflect the actual range of requirements applicable to the scenario or this topic. This document was created under contract number DTFH63-11-F-00066 by the Federal Highway Administration, U.S. Department of Transportation, and is offered to the public to heighten and focus awareness of Federal-aid requirements within the local public agencies community and reinforces the importance of these necessary policies, procedures, and practices.

This companion resource is the script content for the video production of the same name.