

**New Jersey Department of Transportation
CORRECTIVE ACTION NOTICE**

CAN No. CAN081

CAPITAL PROGRAM SUPPORT

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**Approved by
Walter McGrosky
Date: 5-1-12**

Subject: Revision to the Roadway Design Manual Subsection 5.7.4 Public Sidewalk Curb Ramps, General

Bureau(s) Affected: All Design Consultants, In-house Design Services, Construction Services & Materials, Division of Project Management, Division of Capital Program Support, Division of Operations

Description of Issue(s): To comply with the latest Americans with Disabilities Act Accessibility Guidelines

Corrective Action Plan: Designers shall use the following revised information.

5.7.4 Public Sidewalk Curb Ramps

General

Public sidewalk curb ramps shall be provided where sidewalks permit pedestrians to cross curbs such as at:

- Intersections
- Painted crosswalks at mid-block locations
- Crosswalks at exit or entrance ramps
- Driveways, alleys, passenger loading zones, handicapped parking stalls
- Channelized islands, divisional islands or medians served by crosswalks
- Trail crossings

All new construction, reconstruction, major rehabilitation, widening, resurfacing (structural overlays, and mill and fill), signal installation, pedestrian signal installation and major upgrades, and projects of similar scale and effect are subject to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) contained in this Sidewalks subsection which includes providing curb ramps. In alterations to existing facilities where compliance with the ADAAG is infeasible, the alteration shall comply with these standards to the extent practicable.

Providing accessibility to the extent practicable applies to alterations to an existing facility that cannot fully meet the standards because of existing site conditions that would require additional work, right-of-way acquisition or impacts not included in the original scope or limits of the alteration project. Existing site constraints such as limited right-of-way, existing utilities, existing structures, environmental/historic impacts or other site constraints may also prohibit modification or addition of elements, spaces, or facilities from being in full and strict compliance with the standards. Reasons for providing accessibility to the extent practicable may include:

- Limited right-of-way
- Existing utilities

- Existing buildings, walls or vaults
- Environmental impacts
- Historic impacts
- Safety
- Roadway profile slope

For less extensive projects, limited improvements to accessibility would generally be expected. For example, if an existing portion of sidewalk along a residential block were rebuilt or replaced, at a minimum the new portion of sidewalk would be subject to the ADAAG including curb ramps, among other things. However, compliance with these guidelines would not extend to untouched sections of sidewalk outside the planned alterations.

Based on FHWA Office of Civil Rights and the US Department of Transportation General Counsel approval, there are a number of roadway preservation and preventative maintenance projects that do not require curb ramps to be constructed. These projects may involve, but are not limited to:

- Bridge patching
- Demolition
- Fencing
- Fender repair
- Fiber optics
- Guide rail
- Landscape
- Raised pavement markers
- Signing and striping
- Lighting
- Minor signal upgrades (i.e.: retiming signal installations)
- Utility
- Seismic retrofit
- Pavement patching (filling potholes)
- Shoulder repair
- Restoration of drainage systems
- Crack sealing
- Bridge painting
- Scour countermeasures
- Other roadway preservation and preventative maintenance projects. The following are some examples of such projects.
 1. Pavement non-structural thin surface overlays
 2. Pavement repair
 3. Bridge hot mix asphalt resurfacing
 4. Bridge deck patching
 5. Joint replacement or repair
 6. Bridge deck restoration and component patching
 7. Rehabilitation of existing structures

In most cases, the unique projects mentioned previously will not modify a pedestrian route. However, the designer should consider every project as an opportunity to further the

accessibility of its pedestrian network and should not unnecessarily restrict the scope of work so as to avoid the requirements for new curb ramps.

The sight distance should be checked to ensure curb ramps are not placed in such a location that a motorist will find it difficult to perceive the low profile of a wheelchair occupant crossing the roadway.

Curb ramps shall be designed to accommodate all users. Thus, transitions from the sidewalk to the curb ramp or to the landing area shall be gradual. Relocation of the sidewalk at an intersection is permissible, and in some cases necessary in order to obtain the required sidewalk and curb ramp slope.

Implementation: Special – Changes must be implemented in all applicable Department projects that have not yet had a Preliminary Engineering Report submission and those projects in Final Design where implementation does not adversely affect project delivery.

Superseded