

NOTICE

Portions of this addendum may not fully reflect the current ADA regulations. The [regulation implementing title II](#) of the ADA was revised as recently as 2016. Revised [ADA Standards for Accessible Design \(2010 Standards\)](#) were issued on September 15, 2010 and went into effect on March 15, 2012. Additional related information can be found in the Department of Justice/Department of Transportation joint [2013 publication](#) and [2015 publication](#).

Chapter 6 Addendum: Title II Checklist (Curb Ramps and Pedestrian Crossings)

PURPOSE OF THIS CHECKLIST: This checklist is designed to help you **conduct a preliminary assessment to determine if your entity is in compliance with the requirements for curb ramps at pedestrian crossings under Title II of the ADA.** By using the checklist, you can determine if there are any red flags indicating that your entity may not be in compliance with Title II requirements. It also outlines steps you can take to come into compliance with Title II requirements for providing curb ramps at pedestrian crossings if you identify compliance problems.

MATERIALS AND INFORMATION NEEDED: To determine if your entity is in compliance with the ADA requirements for curb ramps at pedestrian crossings, you will need:

- ✓ The written policies and procedures and the contracts and specifications that your government entity has used since January 26, 1992, relating to the construction, alteration, and repair of highways, streets, roads, sidewalks, pedestrian crossings, and curb ramps.
- ✓ Your entity's long-range plan for the construction, alteration, and/or repair of highways, roads, streets, sidewalks, pedestrian crossings, and curb ramps.
- ✓ The written procedures your entity uses to evaluate requests for installation of, or modifications to, curb ramps.
- ✓ Any standard curb ramp designs and specifications that your entity, or contractors working for your entity, have used since January 26, 1992.
- ✓ Written policies and procedures your entity uses to ensure that the accessibility of curb ramps at pedestrian crossings is maintained.
- ✓ A list of the pedestrian crossings constructed by or on behalf of your entity since January 26, 1992. To assist you in identifying systemic problems, it would be helpful for you to know, for each of these pedestrian crossings, the date when construction commenced, the name of the firm or individual

that designed the pedestrian crossing, and the name of the contractor who did the construction.

- ✓ A list of the pedestrian crossings altered by or on behalf of your entity since January 26, 1992. Pedestrian walkways and roadways should generally be considered altered if they have been resurfaced since January 26, 1992. Curb ramps adjacent to those pedestrian walkways and roadways should also be considered altered. Filling a pothole should not be considered an alteration. For each of the pedestrian crossings that were altered, to assist you in identifying systemic problems, it would be helpful for you to know the date when the alteration occurred, the name of the firm or individual that performed design work, if any, for the alteration and the name of the contractor who performed the alterations.
- ✓ Copies of the Curb Ramps survey instructions and form that will be released in the next installment of this Tool Kit for yourself and everyone who will assist you in surveying your entity's curb ramps. You will also need survey tools for each survey team, including a metal measuring tape, a level, and a camera. A clipboard to hold survey forms can also be helpful.
- ✓ Copies of any feedback received from people with disabilities about the accessibility of your pedestrian crossings.

You may need the assistance of personnel responsible for overseeing highway, street, road, and sidewalk maintenance to assist you in completing the checklist.

Evaluating Compliance with the Requirements for Curbs at Pedestrian Crossings

Review the policies, procedures, and contracts your entity has used relating to the construction, alteration, and repair of curb ramps. If your entity does not have written policies and procedures, you will need to interview the appropriate employees to find out what policies and procedures your entity has followed.

1. Since January 26, 1992, has your entity implemented policies and procedures to ensure that curb ramps or other sloped surfaces were provided wherever walkways intersected curbs whenever your entity constructed or altered highways, streets, roads, pedestrian crossings (including traffic islands), and sidewalks? (For purposes of answering this checklist, alteration generally includes paving, repaving, and resurfacing but does not include normal maintenance, such as filling potholes.)

- Yes
- No

2. Since January 26, 1992, has your entity implemented policies and procedures to ensure that curb ramps at pedestrian crossings were constructed and altered in compliance with either the ADA Standards for Accessible Design or the Uniform Federal Accessibility Standards?

- Yes
- No

3. Review any standardized curb ramp designs and specifications that your entity has used since January 26, 1992. To determine compliance, use the requirements outlined in Chapter 6 of this Tool Kit. Are the designs ADA-compliant? (If you do not have experience reviewing design and specification documents, you may find it helpful to obtain assistance from personnel who work in your highway or public works department.)

- Yes
- No

4. Survey a sample of the pedestrian crossings on portions of highways, streets, and roads that were constructed by or on behalf of your entity after January 26, 1992, and a sample of the curb ramps at pedestrian crossings on portions of highways, streets, and roads that were altered after January 26, 1992. In selecting your samples, make sure that you have a representative selection of pedestrian crossings constructed and altered at different time periods between January 26, 1992, and the present as well as curb ramps constructed and altered by a variety of different contractors and located in different areas of your community. To conduct the surveys, use the Curb Ramps survey instructions and Curb Ramps survey form that will be released in the next installment of this Tool Kit.
- a. Do all curbs where sidewalks and walkways intersect with roads, streets, or highways have curb ramps that allow people with disabilities to go from the sidewalk on one side of the vehicular way across any traffic islands with curbs to the sidewalk on the opposite side?
- Yes
 No
- b. Are all of these curb ramps free of accessibility problems (which would only be the case if you answer “Y” or “n/a” to all the questions on the Curb Ramps survey form when you conduct your survey)?
- Yes
 No
5. Has your entity performed an evaluation of its **pre-ADA** pedestrian crossings to identify the locations where curb ramps need to be constructed to provide **program access** for people with disabilities? (This survey may have occurred when your entity performed a self-evaluation and developed a transition plan.)
- Yes
 No

6. If the answer to Question #5 is “Yes,” has your entity been implementing those curb ramp installations as it implements its long-range plan for streets and sidewalks?
- Yes
 - No
 - N/A
7. Does your entity seek input from people with disabilities with respect to its plans for the construction and alteration of highways, streets, roads, sidewalks, and pedestrian crossings?
- Yes
 - No
8. Does your entity have a mechanism that people with disabilities can use to request the installation or repair of a curb ramp?
- Yes
 - No
9. If your answer to Question #8 is “Yes,” does your entity also have procedures to ensure that such requests are given priority when your entity plans and implements the construction and alteration of streets, roads, highways, sidewalks, and pedestrian crossings?
- Yes
 - No
 - N/A

ACTIONS:

If you answered “No” to any of these questions, it is likely that your entity needs to take some steps to comply with the ADA requirements for curb ramps at pedestrian crossings. The steps needed will depend on whether the problems identified relate to new construction, alterations, the accessibility of pre-ADA pedestrian crossings, or the maintenance of accessibility.

- ✓ Identify the newly constructed and altered pedestrian crossings that are inaccessible and incorporate them into your entity's long-range plan for streets and sidewalks.
- ✓ Implement written policies and procedures to ensure that newly constructed and altered pedestrian crossings are accessible from this point forward.
- ✓ Implement written policies and procedures to ensure that, whenever streets, roads, and highways are altered or resurfaced, curb ramps are installed at pedestrian crossings.
- ✓ Review any standardized designs your entity uses for the construction of curb ramps and change them, if necessary, to comply with ADA requirements.
- ✓ Assess the extent to which your entity has complied with ADA requirements for providing curb ramps at pedestrian crossings and transportation stops. To survey curb ramps in your community, use the Curb Ramps survey form and instructions that will be released in the next installment of this Tool Kit.
- ✓ Evaluate the accessibility of your **pre-ADA** pedestrian crossings and, using the results of that evaluation, develop a long-range plan to improve their accessibility. In formulating your long-range plan, give priority to accessibility modifications in the following order: those serving or in close proximity to local government facilities, bus stops and other transportation services, public accommodations, business districts, and residential areas where requests for curb ramps or other accessibility modifications have been made.
- ✓ Get input from people with disabilities on your long-range plan for improving the accessibility of pedestrian crossings.
- ✓ Make sure that requests by people with disabilities for the installation and repair of curb ramps are incorporated into your long-range action plan for improving the accessibility of pedestrian crossings. Such requests can help you identify locations that pose access problems for people with disabilities.
- ✓ Finally, as part of your review of your state or local government's

buildings and programs, don't forget to look at the pedestrian routes from accessible parking spaces and transportation stops to the accessible entrances to your facilities. Determine where curb ramps need to be installed. Include these curb ramps as a top priority in your long-range action plan to improve the accessibility of pedestrian crossings.

The Americans with Disabilities Act authorizes the Department of Justice (the Department) to provide technical assistance to individuals and entities that have rights or responsibilities under the Act. This document provides informal guidance to assist you in understanding the ADA and the Department's regulations.

This guidance document is not intended to be a final agency action, has no legally binding effect, and may be rescinded or modified in the Department's complete discretion, in accordance with applicable laws. The Department's guidance documents, including this guidance, do not establish legally enforceable responsibilities beyond what is required by the terms of the applicable statutes, regulations, or binding judicial precedent.