

Greetings:

The National Federation of the Blind of Minnesota is the largest and most influential organization of blind people in our state, with chapters in nearly every large community around the state. For more information about us, visit <http://www.nfbmn.org>. We appreciate the opportunity to provide comment on Mn/DOT's ADA Transition Plan.

The effort by Mn/DOT to ensure that all of its programs, services, facilities, and activities are accessible to all individuals is laudable and necessary. However, we wish to express concern about the approach regarding some aspects of disability access currently used by MN/DOT. We oppose Mn/DOT's policy to install expensive Accessible Pedestrian Signals (APS) at every new pedestrian signal without regard to features of the intersection or other factors. Decisions about any APS installation should be based on criteria developed with input from stakeholders including organizations of the blind—APS simply are not necessary at every single intersection for the intersection to be considered accessible. Further, in cases when APS are installed, they should provide information in a vibro-tactile form rather than audio so that they do not introduce unneeded noise into the environment. The APS audio emissions can be disturbing to people in homes or businesses located near them, and, what is much worse, they can also interfere with a blind person's ability to hear the traffic, which is the primary means of determining when it is safe or not safe to cross a street.

People who are blind currently navigate the vast majority of streets and sidewalks safely and easily on a daily basis without extra modifications; therefore, we, as consumers and taxpayers, urge that the current requirements for APS be limited so as to save unnecessary public expense.

Following is a resolution adopted by convention of our national organization, opposing the over-use of “accessible pedestrian signals” and the broad standard for APS that is used in the PROWAG.

We request that, in the future, we as stakeholders be involved when policy decisions are made which pertain to us.

Sincerely,
Jennifer Dunnam, President
National Federation of the Blind of Minnesota

Resolution 2001-13

WHEREAS, the Architectural and Transportation Barriers Compliance Board (ATBCB) established the Public Rights of Way Access Advisory Committee (PROWAAC) to consider and propose new regulations to define the building and re building of rights of way such as streets, sidewalks, and other outdoor public areas so that individuals with disabilities can access them; and

WHEREAS, PROWAAC has issued its recommendations to the ATBCB in a final report called "Building a True Community"; and

WHEREAS, this report addresses the issue of Accessible Pedestrian Signals (APS's), which are electronic devices that alert the blind pedestrian in an audible or vibro tactile manner when the traffic signal has changed so that it is safe to walk; and

WHEREAS, a majority of the PROWAAC recommended a standard which would, in effect, call for the installation of APS's at every intersection where a traffic-control device provides visual information when a pedestrian may safely cross; and

WHEREAS, according to the majority standard each APS will be placed on a separate pole and will have a locator tone; and

WHEREAS, at a standard four-way intersection eight new poles and eight electronic devices will emit a high pitched tone into the intersection; and

WHEREAS, the Federation filed a minority report urging that the ATBCB adopt a much narrower policy defining when APS's should be mandated; and

WHEREAS, the National Federation of the Blind has passed two recent resolutions addressing the question of when APS's should be mandated; and

WHEREAS, in summary Federation policy states that APS's should be installed only when the built environment does not provide sufficient nonvisual clues to allow a blind pedestrian to know when to cross safely and that APS's should be vibro tactile only so that extra, unneeded noise will not be introduced into the environment: and

WHEREAS, creation of a rule to require installation of these accessible pedestrian signals everywhere must rest on proof that such devices must be universally installed in order for blind people to use the public rights of way, rendering compelled installation a civil right for blind people; and

WHEREAS, the majority vote for universal installation of accessible pedestrian signals was cast in the belief that all public rights of way without such signals are unsafe for blind people and that taxpayer dollars must be devoted to universal installation of such devices; and

WHEREAS, blind Americans now use the public rights of way without difficulty most of the time, rendering the report's recommendation both wrong as unnecessary and grossly expensive (\$4,000 for a

standard intersection) as out of proportion to the need, which could bring the entire regulation, if enacted, under fire in the courts and city halls of America; and

WHEREAS, the PROWAAC final report is not an enforceable regulation and will never be one unless the ATBCB and the United States Department of Justice choose to enact it or parts of it as a regulation; and

WHEREAS, PROWAAC committee members are now drafting technical guidance documents as if the report had been adopted into final regulation: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in convention assembled this seventh day of July, 2001, in the City of Philadelphia, Pennsylvania, that this organization urge the Architectural and Transportation Barriers Compliance Board to adopt the minority report filed by the National Federation of the Blind as its regulation about when and how accessible pedestrian signals should be mandated; and

BE IT FURTHER RESOLVED that this organization call upon the ATBCB to order PROWAAC to cease and desist the drafting of any technical guidance until actual regulations have been adopted.