



Memo

TO: Kristie Billiar
ADA Transition Plan Coordinator

FROM: Mike Schadauer
Director

DATE: Jan. 11, 2010

SUBJECT: Office of Transit Comments on ADA Transition Plan

Thank you for the opportunity to review and comment on Mn/DOT's ADA Transition Plan. The following are the comments and recommendations of the Office of Transit.

Content Issues

The following pieces are missing information to either clarify meaning or to provide more essential detail.

First, it may be valuable to add a paragraph in the introduction to state that the transition plan is an iterative process. The methodology could be clarified to demonstrate that this is a *process* and not necessarily the final product. We also recommend clarification of the difference between the "self-evaluation" and the "Transition Plan" FHWA seems to say that the self-evaluation leads to the Transition Plan. If this is the case, it should be clarified up front.

We recommend the addition of a paragraph about stakeholder involvement. The group is mentioned in the document, but the process



should be described since it involves more than just public hearings, meetings, and events. Communications, project maps, alternatives to project visualizations, Hear Every Voice should be mentioned. Also, when surveys are conducted, how we include people with disabilities and ensure that they are accessible.

We recommend including a more comprehensive list of documents that need to be reviewed/altered/modified to integrate ADA. For example, LFRD Bridge Manual, Bicycle Manual, Cost Participation Manual, HPDP bicycle and pedestrian sections, scoping documents (beyond worksheets), Limited Use Permit documents, Maintenance Agreement documents, Utility Guidance, etc. Also Funding processes, websites, funding, programming, and state planning documents.

Page 3, paragraph 3: what are the implications of this Technical Memorandum? What was the outcome of it issuance?

Page 3, paragraph 4: re: “The report identified which policies, procedures, and practices...” what are the policies procedures, and practices that did not comply? Refer the reader to Appendix G.

Page 3, paragraph 5: re: ADA Title II training. What does this training teach? We suggest adding a paragraph: For example: “Mn/DOT established a temporary position in the ____ office to write an ADA Transition Plan in order to comply with requirement in the Title II laws.” Also add a paragraph on 2009 projects. Example: “In 2009 Mn/DOT allocated \$xxx from xxx fund and \$xxx ARRA funds for dedicated ADA projects. Xxx number of projects were built...”



Page 3, paragraph 7: add “To fulfill xx, Mn/DOT created three different positions.”

Page 4, paragraph 2: Re: the ADA Design Engineer position in the Operations Division. Will this position oversee the district work group? Please add: “An ADA point person has been identified in each district and they, along with the Bicycle and Pedestrian Section, will work with the Office of Traffic Safety and Technology, the Office of Technical Support, the ADA Implementation Coordinator, and the ADA Design Engineer to ensure adherence to PROWAG guidelines.” Also, consider moving this to be under the Mn/DOT History section.

Page 5, paragraph 1: Rename the “district expertise/work group” if it has an official name.

Page 5, last paragraph. Re: Website communications history. “Several years ago...” – how many years ago? Specific years, please.

Page 6, paragraph 2: Re: “reminders about areas of the ADA with key *things*” – *things* needs to be defined. Re: “*alt tags*” – *alt tags* need to be defined.

Page 6, paragraph 5: Re: DOJ document being available to staff. Who advises staff if they have questions? A little more information would be useful. Also, add a citation.

Page 6, paragraph 6: In this intro paragraph for the Self Evaluation section, please comment on what order the following subsections are



in. If there is no order, please make it alphabetical so readers won't question the order.

Page 7, paragraph 1: Re: Appendix B. Are the ABC Ramps and skyways part of the list?

Page 8, paragraph 2: Re: "then current ADAAG" Have there been any changes to ADAAG since 1991? What about the *current current* ADAAG?

Page 9, paragraph 4: Re: trip requests in Duluth etc. Why these ones? Clarify that it is because they are the only places with fixed route systems in the state (if that is the reason).

Page 10, paragraph 2: Re: Ped Bridge and Underpass Inventory – what about the other bridges that aren't Ped bridges? Or does that fall under sidewalk inventory? At least clarify...

Page 10, paragraph 2: Re: "responsibility of Mn/DOT" does this mean maintenance? Or ADA compliance? Or both?

Page 10, last paragraph: Re: maintenance: Who will do this? What is the deliverable? A maintenance report or updated chapter of RDM? Does maintenance include *construction sites*? Or should there be a heading for construction sites?

Page 11, last paragraph: Is the training mandatory? Who should take it? This section could have some more details in general.



Key Format Issues

The following are specific cases where rewording is important for relaying key information.

In General

Add a table of contents to make the document easier to read.

Add to the intro: purpose, background

Add a citation of the legal reference: 28 CFR PART 35 (that outline Transition Plan requirements)

Specific Issues

Page 1, paragraph 2: 2nd sentence should be reworded. Also, “the organization is committed to comply” should be changed to “Mn/DOT must comply”.

Page 1, paragraph 5: Sentence structure should be revised to match the flow of the following paragraph (that begins “Section 504...”). Also, answer to whom does this apply?

Page 2, paragraph 2: “All these curb ramp projects be completed by 1995” missing verb. Meaning is lost. Also, add “these curb ramps were installed using xxx standards”.

Page 2, paragraph 4: Change from “The following action were taken to make this assessment” to “To make the assessment, Mn/DOT took the following actions:” Also change each bullet to begin with a verb:



“designated an ada coordinator...drafted a notice of ada requirements...established a grievance/complaint process...”

Page 2, last paragraph: the last sentence is unclear. “...pedestrian signal installation in both new and reconstruction projects...” Clarify meaning.

Page 3, paragraph 2: “...voice their concerns regarding barriers they were encountering accessing Mn/DOT facilities, programs and services.” *Change to* “...voice their concerns regarding barriers preventing access to Mn/DOT facilities...”

Page 3, paragraph 2: “...experience regarding how they encounter Mn/DOT’s facilities...” *change to* “experience regarding how persons with disabilities use Mn/DOT’s facilities...”

Page 3, paragraph 5: Start the paragraph with “Mn/DOT’s Office of Affirmative Action, Office of technical support, and *Office of Transit* began conducting...”

Page 3, paragraph 6: PROWAG – spell it out and define it.

Page 3, paragraph 7: consider rewriting the paragraph as such: “Managing and implementing Mn/DOT’s ADA Transition Plan will fulfill its legal requirement for an ADA coordinator, and will require a multidisciplinary approach encompassing policy development, outreach, technical support, and oversight. These responsibilities will be managed by three peer positions: the Title II Coordinator, the ADA Implementation Coordinator, and the ADA Design Engineer.”



Page 3, last paragraph: Re: Title II Coordinator: Does this position already exist? Title will change from ADA Coordinator? How else will the position change?

Page 4, paragraph 1: “Internal ADA committee” – is that term correct? Is this the same committee referred to earlier? If so, call it by its official name. What is that official name?

Also, “2009” should be changed to “2010.”

Page 4, paragraph 2: replace “a centralized position” with “an ADA Design Engineer position in the Operations Division”.

Page 4, paragraph 3: The heading reads “Americans with Disabilities Act Advisory Committee (ADAAC)” – is this the same as the advisory council? Be consistent with the names.

Similarly, the heading “Stakeholder Advisory Group” and the first part of the following sentence “The External ADA Advisory Committee”. Why are these two names different? Are these the groups referenced above? If not, how do they fit here?? *Watch for those titles of the committees – make sure they are all consistent and they are all updated.*

Page 5, paragraph 2: Access Board needs to be defined (and specify that it’s the *United States Access Board*). Should probably be at the beginning, too.



Page 6, paragraph 7: fixed work sites. “potential accessibility opportunities” – change to “potential accessibility improvements”

Page 7, paragraph 2 (Rest areas) Replace “Rest areas are a unique transportation facility and several accessibility...apply to them” with “Several accessibility guidelines....apply to rest areas”

Page 7, paragraphs 5 & 6: Mixing past with present and future tenses. Revise. Also, define the following terms: “Class I, Travel Information Centers, Class II”

Page 9, paragraph 1: consider re-writing as such: “The District 1 Office inventoried all intersections on the state highway system within their district in the summer of 2009. The district offices recorded elements concerning curb ramps, sidewalks, crosswalks, curb and gutter, signs, and signals onto a handheld GPS so data could be collected in the field displayed on aerial photographs.” Delete the sentence about the summer intern (unnecessary detail).

Page 9, paragraph 2: Mixing past, future, present tenses. Revise.

Page 11, paragraph 2: “As part the adoption of Public Rights of Way Accessibility Guidance” – this is the first mention of this adoption. Move to the front so that it’s defined earlier in the document. Also, change “Guidance” to “Guidelines”



Repeated writing style considerations to revise

The following are common revisions suggested throughout the document.

Use of Active Voice: We recommend using the active voice instead of the passive voice. This helps clarify the actors responsible for the actions in the plan.

Defining Acronyms: We recommend searching (and replacing as appropriate) the following:

ADAAC, PROWAG, Access Board, ADAAG, External Stakeholder Advisory Group (p.3), stakeholder advisory group naming consistency

Level of Detail: There was a fair amount of detail on page 10 in the first and third paragraph (slopes, feet). Is this detail necessary?

Citation Needed:

- Cite policy in last paragraph on page 2
- Cite the report in 4th paragraph on page 3
- Cite the website in paragraph 5 (DOJ) on page 6
- Cite PROWAG as 38 CFR 35.151

Consistency:

- Instead of using “the department” and “the agency” use “Mn/DOT”
- Choose “ADA” or “the ADA” (both are used)
- Capitalize (or not) “Transition Plan”



- **“Districts” or “District Offices”**
- **“self-evaluation” or “self evaluation”**

