



IMPLEMENTING PROWAG

(Public Right of Way Accessibility Guidelines)

AUGUST 2013

WHITE PAPER

By Robin Nelson, PE

IMPLEMENTING PROWAG

(Public Right of Way Accessibility Guidelines)

Robin Nelson, PE, robin@paceengrs.com

ABOUT THIS RULE-MAKING

Approximately 14% of the population have impairments that reduce and/or limit their mobility. These impairments may be present at birth, result from an accident or disease, or be associated with aging. Sidewalks, street crossings, and other public right-of-way elements present unique challenges for accessibility, and specific guidance is essential; this is especially important as the population as a whole is growing older.

The Federal Highway Administration through the Americans with Disabilities Act (ADA) is responsible for protecting and enforcing the rights and safety of pedestrians with disabilities when accessing public transportation systems and other facilities located within public rights-of-way. ADA prohibits discrimination on the basis of disability, with the purpose of eliminating the discriminatory effects of architectural, transportation, and communication barriers in the design and construction of pedestrian facilities in the public right-of-way.

The Public Right of Way Accessibility Guidelines (PROWAG) were published in November 2005 to establish standards for design, construction, and operation of new and existing facilities within the public rights-of-way. These new guidelines cover pedestrian access to

sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other pedestrian amenities. PROWAG addresses various issues, including access for blind pedestrians at street crossings; wheelchair access to on-street parking; and various constraints posed by space limitations, roadway design practices, slope, and terrain.



Sidewalks, street crossings, and other public right-of-way elements present unique challenges for accessibility, and specific guidance is essential; this is especially important as the population as a whole is growing older.

BASIC REQUIREMENTS

- New construction and altered facilities must be “accessible to and usable by” people with disabilities (ADA Title II and Rehabilitation Act Section 504).
- Transportation providers must evaluate existing facilities, policies, and programs for discrimination and develop a modification or transition plan that includes:
 - o Methods and schedule for correction/retrofit
 - o Curb ramp installation schedule (ADA Title II and 28 CFR Part 35.149 and 35.150)
- Individual pedestrians must be reasonably accommodated, where necessary (ADA Title II and Rehabilitation Act Section 504).

WHO IS AFFECTED

The accessibility standards apply to state and local governments that construct streets and highways (e.g., public works departments or highway/street departments) in their respective jurisdictions.

SOLUTIONS

Compliance with ADA Title II and the Rehabilitation Act is not a new issue. Modifications and alterations have been ongoing since the ADA Standards for Accessible Design (ADAAG 1991). The most recent modifications were developed specifically for pedestrian facilities in the public right-of-way and address conditions and constraints that exist in the public right-of-way. The requirements in the July 26, 2011, draft proposed guidelines making allowances for typical roadway geometry and permit flexibility in altering existing facilities where current physical constraints make it impractical to fully comply with new construction requirements.

Until just a few years ago, the only way cities achieved PROWAG compliance was for projects that required design, construction, and/or alteration of transportation improvements within the public right-of-way and were financed through a federal grant or loan, or when the improvements were located on a state highway. Cities are becoming more proactive in evaluating existing facilities, policies, and programs for discrimination in order to develop modifications or transition plans for their public rights-of-way in order to comply with ADA Title II and Rehabilitation Act Section 504.

IMPLEMENTATION

Compliance with ADA Title II requires cities to prepare a transition plan to first determine areas or facilities within their jurisdictions that are out of compliance, including descriptions of structural or physical changes needed to make all required areas accessible and compliant. Next, they need to prioritize areas of noncompliance, and finally they need to establish or identify funding mechanisms to correct areas of noncompliance. Cities, counties, and state agencies that are experienced in capital facilities planning will find that compliance with PROWAG is no different. The basic elements of a transition plan would include the following:

1. Develop an inventory of the pedestrian facilities within the public right-of-way.
2. Map the improvements.
3. Identify barriers and intersection crossing safety issues.
4. Rank and prioritize system deficiencies.
5. Develop a program for repairs and replacement.
6. Fund the ADA compliance repairs and replacements program.

Helpful Hints:

- *Develop clear, attainable policies and goals for the transition plan.*
- *Use existing GIS mapping, when available.*
- *Develop a checklist for field conditions assessment.*
- *Include repairs and rehabilitations in future transportation capital improvements.*
- *Identify possible funding sources for ADA repairs and rehabilitation, and actively pursue external funding to augment local funding.*

HOW PACE CAN HELP

PACE’s engineers are extremely knowledgeable about PROWAG’s design standards. We can assist in preparing transition plans and provide engineering design to ensure that your public right-of-way project is designed and constructed in conformance with PROWAG, ADA Title II, and Rehabilitation Act Section 504 requirements.

For more information on how PACE can help with any of your engineering needs, please contact Robin Nelson, PE, at 425.827.2014.