

SIDEWALK REPAIR AND THE AMERICANS WITH DISABILITIES ACT

The Pennsylvania Department of Transportation has developed standards to determine when the Americans with Disabilities Act (ADA) applies to sidewalk repair and alteration projects.

Municipalities must be familiar with these standards and know that although minor repairs and maintenance to sidewalks do not trigger full compliance with ADA requirements, any project that could or would improve pedestrian access is subject to the ADA rules.

The basic requirements of the ADA are:

- **New construction** must be accessible and usable by disabled people.
- **Existing facilities** that have not been altered must not deny access to disabled persons.
- **Alterations to existing facilities**, within the scope or limits of the project, must comply with the ADA to the maximum extent feasible.

New construction projects are those built on locations without prior disturbances that limit construction space. The design and construction for new projects must consider the needs of disabled pedestrians and provide for their accommodation. New construction is expected to fully comply with ADA requirements.

Existing facilities cannot deny access to disabled persons. However, structural changes are often the option of last resort, and the focus is more on nonconstruction solutions, such as alternate routes, relocating services, or providing services directly to disabled persons.

This technical sheet will focus on the third scenario, **alterations to existing facilities**, and the types of municipal repairs or alterations that will trigger compliance with ADA.

Pedestrian Access and the Americans with Disabilities Act

Pedestrian access and safety are important components of the transportation system. No matter how we travel, we start and end the trip by walking into and out of buildings and other facilities. Safe and appropriate pedestrian access should be considered in all transportation planning and design projects.

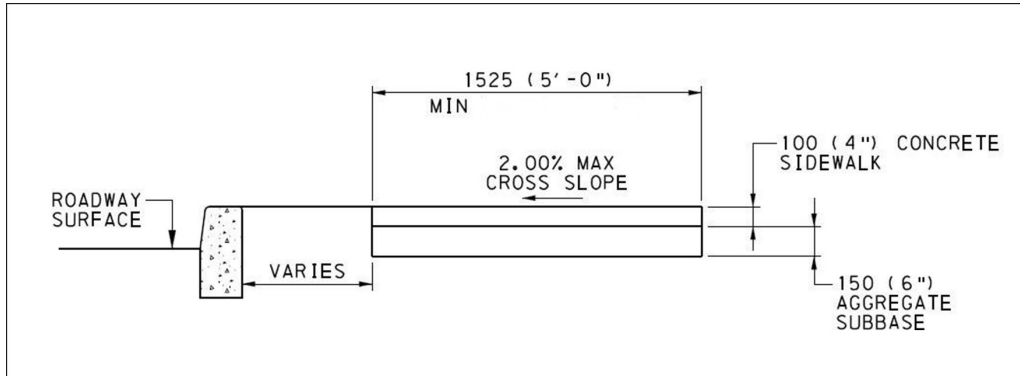
The Americans with Disabilities Act of 1990 prohibits discrimination against Disabled people. The ADA is a civil rights statute, which means pedestrian facilities that have barriers against access may constitute discrimination.

To support the ADA, several organizations have developed minimum standards for pedestrian facilities and accessibility. These organizations include the U.S. Access Board, the Federal Highway Administration (FHWA), and PennDOT. *(See box at right for a brief summary of the basic requirements for accessible sidewalks.)*

Basic ADA Standards from PennDOT

- Firm, stable, and slip-resistant surface
- ¼-inch elevation difference maximum
- Minimum 5-foot-wide sidewalk or 4-foot-wide with passing areas
- 2% cross slope maximum
- 5% longitudinal slope (or match slope of roadway)





A pedestrian-accessible route has certain requirements.

Sidewalk Repairs and Maintenance Work

Minor repairs or maintenance work to sidewalks do not trigger full compliance with ADA requirements. Therefore, municipalities that must repair small sections of sidewalk are free of that burden. Replacement of a sidewalk panel that was uplifted from tree roots, for example, is exempt from the ADA.

However, if a potential project could or would improve pedestrian access (for example, more than 100 linear feet of the sidewalk is being repaired), then full ADA compliance is required for the work. Also, if the new or repair work is directly adjacent to a part of the sidewalk that is noncompliant with the ADA, a transition slab between the sections would be required.



Minor repairs, such as filling in cracks, does not trigger ADA compliance.

PennDOT Publication 13M (Design Manual Part 2) lists the following guidelines for sidewalk repairs and ADA compliance:

- Small sections of sidewalk (less than 100 feet in length and less than 500 square feet of area) that are to be replaced would require only repair in-kind. This would *not* trigger any upgrades for ADA compliance.
- Spot patching or repair of existing sidewalk to correct buckling, cracking, or other severely deteriorated conditions would not require installation of new sidewalk or an upgrade of existing sidewalk.
- As a general guideline, if more than 50% of a run of sidewalk is to be repaired, the entire length should be upgraded to PennDOT's standards.

Sidewalk Alteration Projects

An alteration project refers to any change to a portion of a transportation facility located within the highway right-of-way that affects pedestrian access. When a facility is altered, it must be upgraded to meet the latest ADA standards to the maximum extent feasible. For more definitions of what is an alteration project, refer to PennDOT Design Manual Part 2, Chapter 6.

Alteration projects, which are more significant than repairs or maintenance, include the following:

- Reconstruction of a sidewalk of a significant length (equal to or greater than 100 feet).
- A substantial section of sidewalk reconstruction as part of an areawide sidewalk project.
- Replacement of more than 50% of a run of sidewalk.

In all of these cases, the alteration must meet the ADA standards to the maximum extent feasible.

Furthermore, the alteration projects must have logical end points. So, if the project includes curb ramps, those ramps must meet ADA standards. PennDOT guidance about curb ramps includes the following:

- If a project is equal to or greater than 100 linear feet and will disturb 50% or more of the sidewalk width and if the limit of sidewalk reconstruction is within 15 feet of a pedestrian crossing, then curb-ramp upgrades will be required for that corner or mid-block crossing.
- If a project is more than 300 linear feet and a pedestrian crossing or curb ramp is within 5% of the total disturbed length of sidewalk, then curb ramp upgrades will be required for that corner or mid-block crossing. *(See photo below for an example.)*



Curb ramp upgrade not required

Curbrampupgrade required



Distance to be measured

This block of Chestnut Street is 1,200 feet long. If a sidewalk project proposes to repair 572 feet of the sidewalk, the project limits would have to be within 28.6 feet (572 feet times 0.05) of the existing curb ramps to require upgrade of the curb ramps. The measurement is from the end of the sidewalk project to the edge of the existing (or missing) landing/ramp.

Know When the ADA Applies

Maintenance projects and repairs of small sections of sidewalk are exempt from ADA requirements. However, new construction and alteration projects trigger full ADA compliance. The alteration must comply with ADA requirements to the maximum extent feasible.



The elevation difference between two pieces of sidewalk may not be more than 1/4 inch.

ADA Compliance Resources

- ADA Proposed Public Rights-of-Way Accessibility Guidelines: About (access-board.gov)
- ADA Accessibility Guidelines: ADA Accessibility Standards (enhanced single file version) (access-board.gov)
- PennDOT ADA website: ADA and Pedestrian Accommodations (penndot.gov)