



moving FORWARD

WINTER 2012-13

A quarterly review of news and information about Pennsylvania local roads.

Cutting Through the Confusion

Transition plan helps alleviate problems with ADA compliance

by Patrick M. Wright, T.E., Pennoni Associates

Municipalities are often confronted with confusing situations of how to apply the Americans with Disabilities Act (ADA). Depending on the details of the situation, municipalities and property owners will sometimes judge differently when and how to apply the act and how it affects transportation projects.

Consider the following examples:

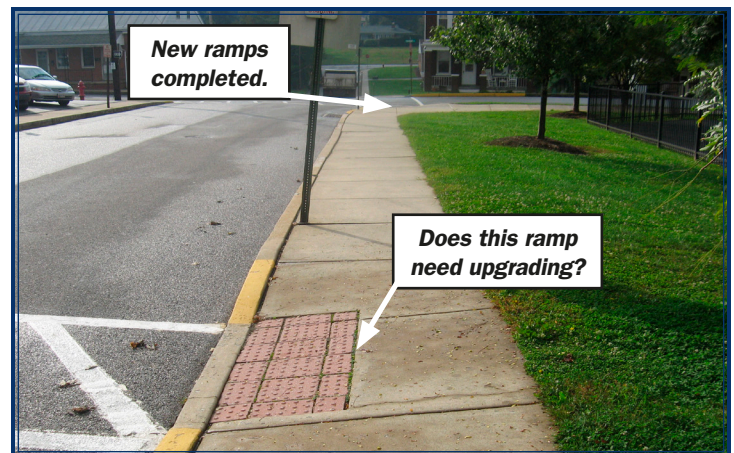
- If a private property owner resurfaces a driveway, who is responsible for putting in curb ramps to make the sidewalk accessible?



ALSO IN THIS ISSUE

MRM Save The Date	4
Prefabricated Bridges	6
Upcoming Classes.....	7
Better Mousetrap	8

- If a municipality receives a grant to improve the accessibility of sidewalk, is it required to improve the accessibility along the entire length of the sidewalk?



- If a resident who uses a walker complains that a curb is too high for the walker to get from the street to the sidewalk, how should the municipality respond?



Continued on page 2

Cutting Through the Confusion

continued from page 1

Each of these scenarios may have different answers, depending upon the circumstances of the situation. When deciding how to apply the ADA to transportation-related situations, municipal officials may find the risk of exposing a municipality to lawsuits, if mistakes are made, weighs heavily on their minds. Also, addressing ADA compliance adequately from the standpoints of finances, planning, and maintenance can be equally worrisome.

Proper planning can preclude such problems, and the best way for a municipality to adequately address the Americans with Disabilities Act in transportation projects is to have an ADA Transition Plan for Pedestrian Facilities in the Public Right-of-Way in place. A good transition plan will set forth a program for accessibility improvement of pedestrian facilities throughout a municipality and will establish processes and guidelines for the following:

- Establishing the responsibilities for property owners and municipalities for upgrade of sidewalks and ramps.
- Developing an overall plan with priorities to coordinate the upgrade and installation of curb ramps.
- Creating a complaint process to resolve issues as they arise.

The best way for a municipality to adequately address the ADA is have a transition plan in place.

Are municipalities required to have a transition plan?

ADA transition plans are required for public entities that have 50 or more employees, according to 28 CFR, Section 35.150, Existing Facilities, Subpart d.

(d) Transition plan.

(1.) In the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.

What is required in the transition plan?

A transition plan will identify physical obstacles in a municipality's pedestrian facilities that may limit accessibility for individuals with disabilities, detail the methods for making the facilities accessible, specify a schedule for achieving accessibility, and name the person responsible for implementing the plan. The specific requirements for the transition plan can be found within 28 CFR, Section 35.150, Existing Facilities, Subpart d:

- (2.) If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.
- (3.) The plan shall, at a minimum—
 - (i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
 - (ii) Describe in detail the methods that will be used to make the facilities accessible;
 - (iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition plan; and
 - (iv) Indicate the official responsible for implementation of the plan

What are the benefits of a transition plan?

Benefits of creating and implementing a transition plan go beyond simply meeting the ADA requirement for such a plan. LTAP recommends that municipalities with pedestrian facilities have a Transition Plan for Pedestrian Facilities in the Public Right-of-Way, regardless of the number of employees. The transition plan offers the following advantages and benefits:

- It allows a municipality to address the ADA over a period of time and establish reasonable priorities and finance.
- It provides a process that involves the public, folks with accessibility needs, and the municipality and helps to build understanding, partnerships, and consensus.
- It addresses potential problem areas with official policies and procedures.
- It is valuable in meeting the ADA requirements and allows coordination of the effort with paving projects, PennDOT, and others.
- It is useful in deflecting potential problems and lawsuits before they happen.

Self-Evaluation

Overview

The **Agency Name** is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the **City/County** implements these policies. The goal of the self-evaluation is to verify that, in implementing the **City/County's** policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The template saves time by using a fill-in-the-blank approach.

How does a municipality prepare a transition plan?

The transition plan can be developed by the municipality itself or by hiring consultants. Municipalities may find some new guidance documents available from the Local Road Research Board helpful when developing a transition plan. The board has developed an online guide for developing an ADA transition plan. The guide, which can be accessed at www.lrrb.org/resources/applications, contains instructions, resources, and a template for creating a transition plan. The template is a word document where municipalities can fill in the blank for many portions of the Transition Plan creation (see example above).

Although the resource guide is a good basis for getting started and creating a plan, each municipality will want to customize the plan for its own unique needs, circumstances, and policies. Depending on a municipality's size, resources, and pedestrians facilities, a detailed plan that includes inventories and assessments may not be required. The main requirement of the transition plan is a program to provide for and improve pedestrian facility accessibility. For example, an approach that proposes improving curb ramps as streets are resurfaced each year could meet the minimum requirements for a plan.

Continued on page 5

ADA Transition Plan Resources

- Local Roads Research Board, ADA Transition Plan for Public Rights of Way Guide, <http://www.lrrb.org/resources/applications>
- PennDOT Publication 13M, Chapter 6 <ftp://ftp.dot.state.pa.us/public/Bureaus/design/PUB13M/Chapters/TOC-2.pdf>
- PennDOT Publication 72M, Roadway Construction Standards for Curb Ramps and Sidewalks, RC-67M <ftp://ftp.dot.state.pa.us/public/Bureaus/design/PUB72M/TOC-INDEX-INITIAL.pdf>
- Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (July 2011) <http://access-board.gov/prowac/nprm.pdf>
- Accessible Public Rights-of-Way Design Guide (2007): <http://access-board.gov/prowac/alterations/guide.pdf>
- US Access Board: <http://access-board.gov>
- FHWA Pedestrian Information Center: <http://walkinginfo.org>

SAVE THE DATE

2013 Municipal Road Maintenance and Safety Symposium

April 21-23, 2013

Hershey Lodge • Hershey, PA

**Governor's Center for
Local Government Services**

TRAINING PROGRAM



Municipal Road Maintenance and Safety Symposium

Hershey Lodge, Hershey, PA

Sponsored by:



Three days, multiple training opportunities, the largest municipal trade show in Pennsylvania. All under one roof!

Registrant is responsible for room accommodations.

2013 Municipal Road and Safety Maintenance Symposium

Every municipal budget across the commonwealth has at least one big line item: road maintenance and safety. It's your job to keep the roads smooth, free of potholes, without snow during storms and draining properly when the spring rain falls. Additionally you are responsible for new construction, signage, work zone safety, and asset management. How can you be sure you are doing the best possible job with the best possible resources?

During this symposium, you will hear from road maintenance and safety professionals and municipal officials who have an eye on new products and technologies. Held in conjunction with the Pennsylvania State Association of Township Supervisors' Annual Educational Conference & Trade Show, the symposium provides you access to the largest municipal trade show in Pennsylvania. Visit with close to 300 vendors. Ask questions about new equipment. Network with other road crews, learn from their experiences, and share your own.

**If you attend one
training program in
2013, this is the one!**

The registration fee will be \$80. Look for the registration brochures being mailed to each municipality in January.

Cutting Through the Confusion

continued from page 3

The main components of a complete transition plan include:

- An inventory of existing pedestrian facilities (ramps, sidewalks, crosswalks, trails, etc.)
- An assessment of those existing facilities, and which are noncompliant.
- A program for upgrading the non-compliant facilities over time.

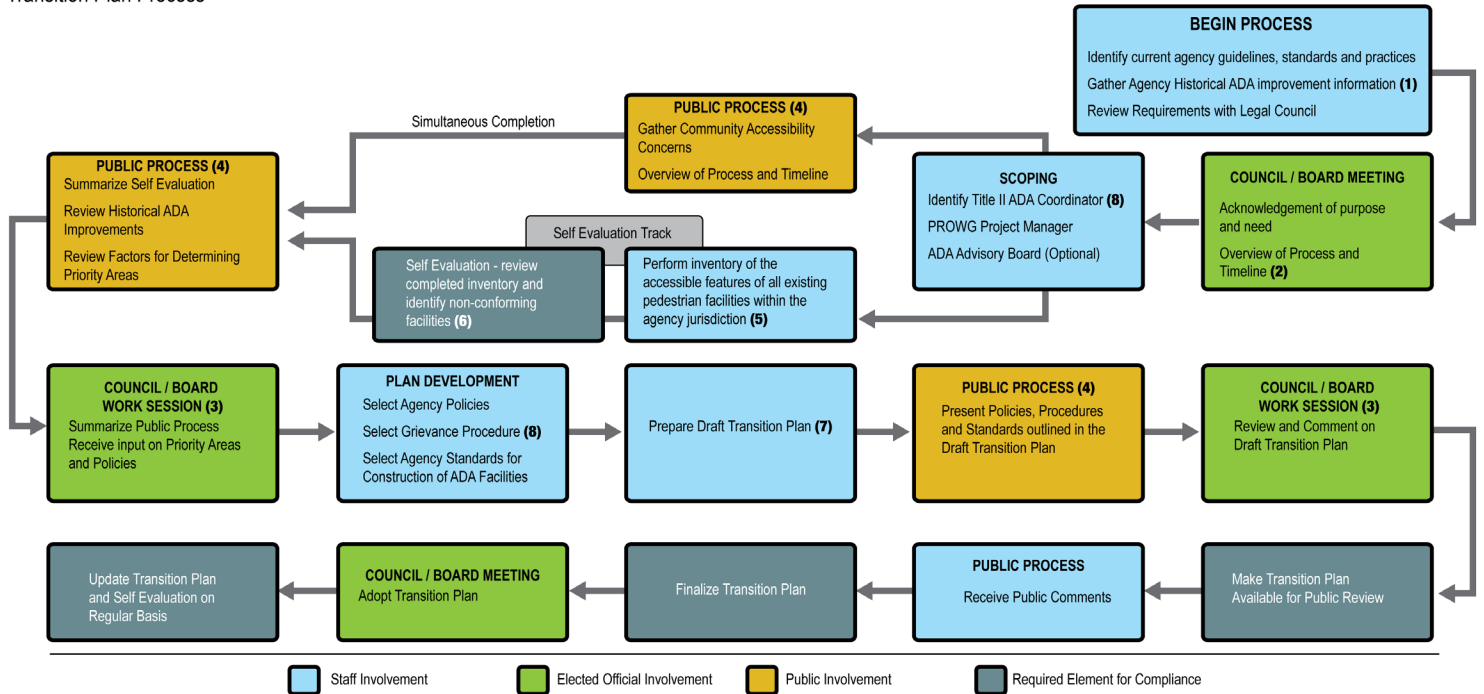
Other components essential to a good plan include:

- Defining the responsibility of private property owners for sidewalk maintenance and upgrades, including curb ramps.
- A public outreach process to gather input from residents and accessibility needs.
- Developing a grievance/complaint process.

The process for developing the plan is shown in the chart below. Although this process chart may appear complex at first, it follows a basic planning process for development of the transition plan. Start in the upper right corner and then move through the basic steps of having organizational meetings, a public outreach process, data collection/assessment, and formation of the policies and the plan itself.

To support the process, the Local Road Research Board has developed spreadsheets for documenting the inventory (PennDOT has forms available, too), conducting the assessment, and developing the program. LTAP also has an ADA class, titled *ADA Requirements for Municipal Transportation Facilities*. 🚩

A Process of Complying with ADA Title II for Facilities Within the Public Right of Way Transition Plan Process



1. Review information as to how projects constructed since January 26, 1992 included ADA elements. This includes Mill and Overlay projects.
2. This Council/Board packet and presentation should include an overview of the ADA Title II requirements and a summary of the existing agency policies. See Attachment 1 for ADA Fact Information.
3. Intermediate Council/Board involvement is not a requirement. These meetings represent only one possible scenario.
4. Title II of the ADA requires targeted outreach to the disabled community. This can be accomplished in many different ways and can be customized by each individual agency. The public process identified in the guide map represents one possible scenario.
5. Example checklists and a data dictionary are available for use. See Attachment 2 for General Inventory Information.
6. Example Self Evaluations are available for review. See Attachment 3 for general information.
7. A model transition plan has been created for use as a starting template and is found in section 2 of this document.
8. A Title II coordinator and grievance procedure are needed for all of the agencies facilities, programs and services. These elements are required for more public accessibility areas beyond public rights of way that this document is developed for. Consistency between all areas should be reviewed.

Figure 1: ADA Transition Plan Process

Prefabricated Bridges: Are They for Your Township?

by Kristin L. Langer, P.E., Assistant Chief Bridge Engineer, Pennsylvania Department of Transportation

Q: What types of materials are available for prefabricated bridges?

A: The most common types of prefabricated bridges are made of concrete, steel, or a combination of the two. However, depending on aesthetic considerations, timber-laminated structures are also available.

Q: What styles of prefabricated structures are there?

A: On the steel side, there are prefabricated steel truss bridges or steel beam panels with a concrete deck already attached. These structures are typically transported to the site in sections that must be bolted together.

For concrete, there are precast arch structures, precast beam and deck panels, concrete box culverts, or concrete rigid frames, which are box culverts without a bottom that are set on footings.

All of these structure types need to be designed by a professional engineer based on your site conditions, hydraulic considerations, and other variables.

Q: What can be done to make a prefabricated bridge look more pleasing?

A: Form liners that mimic the look of stone or brick, staining, or painting can help make a prefabricated structure blend into an environmentally or historically sensitive area.

Q: Where can our township purchase a prefabricated structure?

A: Suppliers depend on the funding that will be used. If you are using federal and/or state money, you must make sure that a steel structure uses steel produced in the United States. Steel or concrete structures

must also be produced by a PennDOT-approved fabricator.

If you are using strictly local funds, you have a little more flexibility. However, you should make sure you use a reputable firm and have your structure designed and reviewed by a professional engineer licensed in Pennsylvania.

Q: What length spans are available in prefabricated bridges?

A: This depends on the type of structure you choose. Typically, prefabricated bridges have a span of fewer than 90 feet, although truss bridges come in much longer spans.

Q: What kind of maintenance do prefabricated bridges require?

A: State law mandates that any structures more than 20 feet long be inspected every two years. Periodic rinsing of concrete bridge decks, prefabricated or not, and box culverts at grade after the winter to remove road salts and dirt will help extend their life. Cleaning steel members and beam seats of dirt and debris will also help these structures last longer.

For bridges that cross streams, proper design and maintenance of riprap — rock used to stabilize streambanks — or other scour countermeasures will reduce the chances of the foundation eroding away. After major storms, especially if there is flooding, all structures should be inspected for damage and repaired. Remember, performing repairs early will prevent larger and more costly ones later.

For more information about prefabricated bridges, contact Kristin Langer, assistant chief bridge engineer for PennDOT, at 717-787-7506 or email klanger@pa.gov. 📧



Upcoming Classes

To Register:
PHONE: 1-800-FOR-LTAP (367-5827)
WEBSITE: www.ltap.state.pa.us

This represents some of our scheduled courses. Look for updates on the website.

Jan. 8, 2013

Chester County

Winter Maintenance (RS-M06-A2)

West Goshen Township
Administration Building
(West Goshen, Pa.)

Jan. 10, 2013

Crawford County

**Posting & Bonding Of Local Roads
(RS-M02-A1)**

West Mead Township Building
(Meadville, Pa.)

Jan. 11, 2013

Clarion County

**Posting & Bonding Of Local Roads
(RS-M02-A1)**

Clarion University – SBDC
(Clarion, Pa.)

Jan. 22, 2013

Chester County

Safe Driver (RS-S13-C1)

West Goshen Township
Administration Building
(West Goshen, Pa.)

Jan. 29, 2013

Schuylkill County

**Work Zone (Temporary) Traffic Control
(RS-S03-C1)**

Schuylkill Community Education Council
(Mahanoy City, Pa.)

Feb. 5, 2013

Lehigh County

**Risk Management Strategies
(RS-S04-C1)**

Lehigh Valley Planning Commission
(Allentown, Pa.)

Feb. 12, 2013

Chester County

**Equipment & Worker Safety
(RS-M14-A1)**

West Goshen Township
Administration Building
(West Goshen, Pa.)

Feb. 13, 2013

York County

**Equipment & Worker Safety
(RS-M14-A1)**

York Township Building
(Dallastown, Pa.)

Feb. 19, 2013

Lehigh County

Principles Of Paving (RS-M12-A2)

Lehigh Valley Planning Commission
(Allentown, Pa.)

Feb. 21, 2013

Lackawanna County

Safe Driver (RS-S13-C1)

PennDOT District 4-0 Office
(Dunmore, Pa.)

Feb. 26, 2013

York County

**Work Zone (Temporary) Traffic Control
(RS-S03-C1)**

Manchester Township
(York, Pa.)

Feb. 28, 2013

Chester County

**Work Zone (Temporary) Traffic Control
(RS-S03-C1)**

West Goshen Township Administration
Building (West Goshen, Pa.)

Congratulations to the following Roads Scholar recipients:

- Sean Dooley, Upper Nazareth Township
- Steve Herman, SEDA-COG
- Gary Weaver, Whitehall Township
- Jay Bomgardner, North Londonderry Township
- Dan Gilbert, Perkasio Borough
- Brandon Leach, Delaware Township
- Joseph Mullen, Montour Township
- Dave Rudolph, York City

Did you know...
**you can use your CPR
training for a class credit
toward Roads Scholar
designation?**

Details: Successful completion of an approved CPR training course accepted by your employer or the Pennsylvania Department of Health earns you one workshop credit toward Roads Scholar certification. A copy of a completion certificate must be forwarded to the LTAP office in Harrisburg within the three-year training window.

Visit www.ltap.state.pa.us for more information.

Meet the LTAP Advisory Committee

The PennDOT LTAP Advisory Committee is comprised of an appointed group of municipal government (elected and/or appointed) officials who serve a critical role as program advocates and assist PennDOT by attending training courses, reviewing course materials and content, and functioning in an advisory role on a variety of LTAP issues. The following officials currently serve as members of the Advisory Committee:

- **Donald G. Sirianni Jr.**, Chair; Springfield Township, Montgomery County, dsirianni@springfieldmontco.org
- **Paul O. Wentzler**, Co-Chair; Muncy Township, Lycoming County, muncytwp@comcast.net
- **Glenn A Coakley**; Patton Township, Centre County, gcoakley@twp.patton.pa.us
- **Michael H. Fleming**; Fairview Township, York County, mike@twp.fairview.pa.us
- **Mark T. Hoke**; East Stroudsburg Boro, Monroe County, esbmaint@frontier.com
- **James J McGowan**; Wilson Borough Public Works, Northampton County, loulourules11@verizon.net
- **Marlin D. Moore**; Coudersport Borough, Potter County, coudyboro@zitomedia.net
- **Douglas A. Roth**; Penn Township, Butler County, droth@penn township.org
- **Ann Simonetti**; Marysville Borough, Perry County, asimonetti@comcast.net

Want Off the Mailing List?

If you do not want to receive a copy of this newsletter, please send an email to tholtzman@psats.org. The newsletter is available electronically on the LTAP website under Public Resources and Documents.

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1-800-FOR-LTAP (367-5827) Fax: (717) 783-9152
Email: ltap@state.pa.us Website: www.ltap.state.pa.us



PennDOT Local Technical Assistance Program

Have You Built a Better Mousetrap?

Show it off by entering PennDOT LTAP's competition seeking innovative gadgets, improved transportation

Have one of your municipal employees recently built an innovative gadget or developed an improved way to do a job? If so, now is the time to show off a project you are proud of in the Build a Better Mousetrap Competition.

PennDOT is looking for projects that municipal employees or road crews designed and built. It can be anything from the development of tools, equipment modifications, and/or processes that increase safety, reduce cost, improve efficiency, and improve the quality of transportation.

Deadline: Friday, March 8

If you have something you think would qualify for this competition, submit your entries by **Friday, March 8**. A state winner will be chosen and announced in March. Entries will be judged by a committee of municipal road employees on cost, savings/benefits to the community, ingenuity, transferability to others, and effectiveness.

The winning entry will be submitted into a national competition to compete for prizes and, of course, bragging rights. Winners of the national competition will be announced at the annual LTAP/TTAP national conference this summer. All entries at the national level will be posted on the LTAP/TTAP program website and compiled into an electronic booklet.

An entry form was distributed to every municipality in December. The entry form is also available online at the LTAP website. To enter the competition, complete the entry form and return it by Friday, March 8, to PennDOT/LTAP, c/o PSATS, 4855 Woodland Drive, Enola PA 17025, or by email to tholtzman@psats.org.



Providence Township/Lancaster County
2012 Winning Entry: Hose Reel for Rubber Patching Rig