



**m** DEPARTMENT OF  
TRANSPORTATION

# The Importance of ADA

Spring, 2018



# The Purpose of ADA

ADA is about better serving the public by providing access



# The Purpose of ADA

ADA is about better serving the public by providing access – (beyond sidewalks)





# ADA: By the Numbers

- The U.S. has a population of 325 million and disabilities affect nearly 50 million people.
  - 13 million need assistance walking (wheelchair, walker, cane, etc.)
  - 2 million cannot see printed words
  - 16 million have limited cognitive functions
  - 17 million have limited hearing

In your lifetime you have a 70% chance of losing the ability to climb stairs.

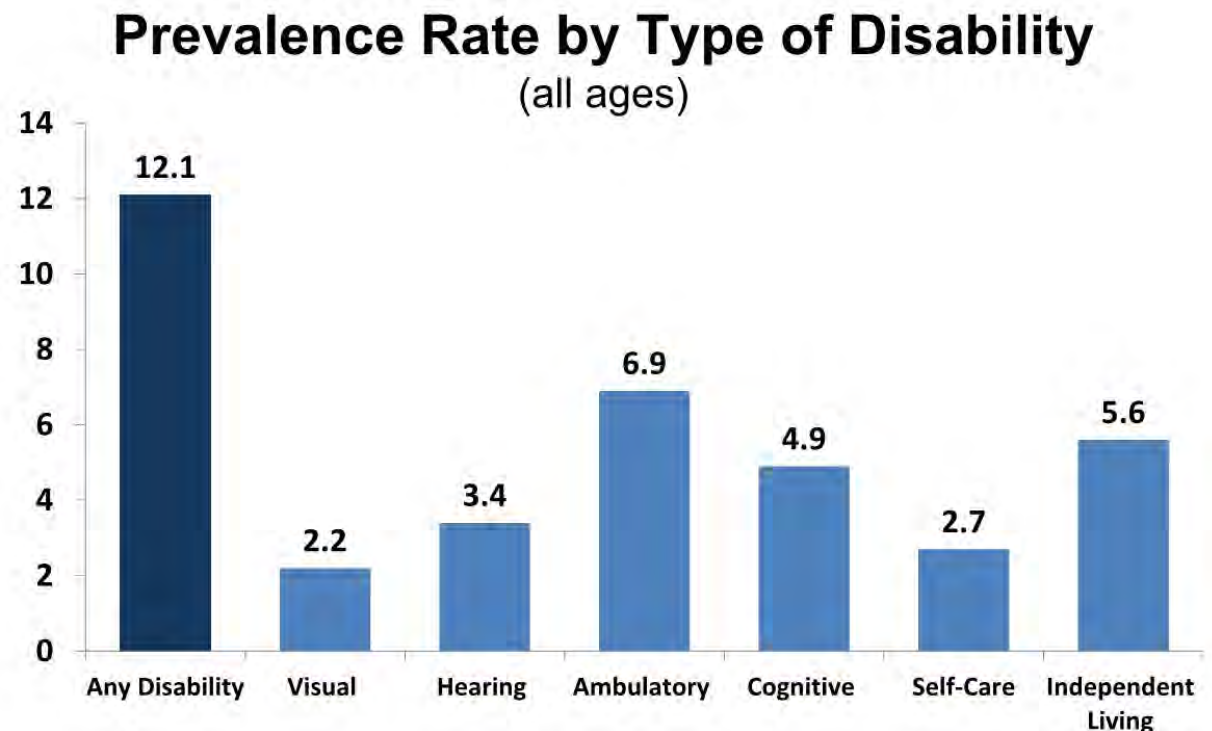


# ADA: By the Numbers

## Disability Demographics

- Nearly 1 in 5 Americans lives with a disability (~19%)
- The rate of severe disability in the US population in 2014 was 12.6% (2011: 12.1%)

- Hearing
- Vision
- Cognitive
- Ambulatory
- Self-Care
- Independent Living

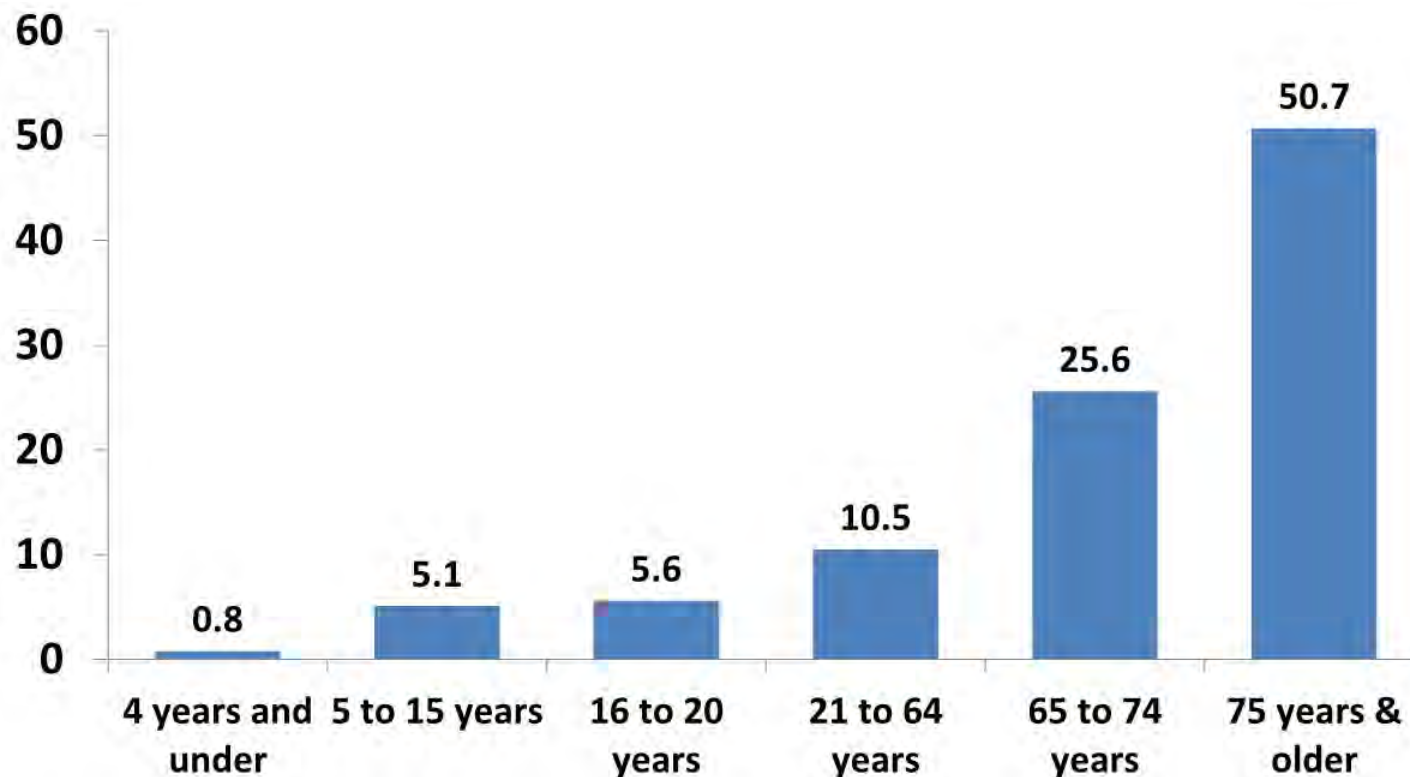




# ADA: By the Numbers

## Disability Demographics

- Rates of disability increase with age





# Legal Context: Key Laws

- Civil Rights Act of 1964
- Architectural Barriers Act of 1968
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990 (ADA) – 5 Titles
- Minnesota Human Rights Act





# Legal Context: Key Laws

- Section 504 governs all programs and operations of *recipients and sub-recipients of federal funds.*







# Legal Context: ADA Title II

Title II covers all state  
and government entities

- Regardless of federal funding received
- regardless of size



[www.pedbikeimages.org /](http://www.pedbikeimages.org/)  
Dan Burden



# Title II of the ADA

- Title II, Subpart A
- Prohibits state and local government agencies from discriminating against individuals with disabilities in access to and use of their services, programs or activities.
- Title II Subpart B
- Prohibits state and local government transportation agencies from discriminating against individuals with disabilities in access to and use of their **transportation services**, programs or activities.

Both impact providers of transportation facilities and services.



# Legal Context: Section 504 & ADA

Federal law preempts state or local laws; accessibility requirements can not be reduced by state or local laws or administrative decisions.





# State and Local Responsibilities

- State DOTs and local government entities responsible for providing transportation facilities, programs and services, and that receive federal funding, are required by both ADA and Section 504 to follow accessibility requirements.





# State and Local Responsibilities

- Wherever public agencies provide pedestrian facilities, those facilities are to be accessible to persons with disabilities.
- The accessibility of pedestrian facilities is required by ADA and is independent of funding sources.





# Integrating Standards and Policy

MnDOT has adopted most of PROWAG

Reasonable & Consistent Policy

Legal standard

2004 ADAAG with U.S. DOT modification for detectable warnings

# ADA: Beyond the law



Too often, most of us who do not have a disability assume that users of transportation systems:

- are able-bodied.
- have good vision and good hearing.
- can understand traffic control devices.



# Disability without Accessibility

Video (Annie Young) 5 Min





# Wrap-Up

- Why should the public agencies look for the best and most consistent way to address and implement ADA?
- It is the law.
- It is the right thing to do.
- Everyone benefits!