



Accessible Transit and The Law



IMPORTANT EFFECTIVE DATES

DATE	REQUIREMENT
July 26, 1990	Americans with Disabilities Ad signed into law.
August 25, 1990	<p>New, used or re-manufactured buses purchased or leased after this date by public entities for fixed route service must be accessible New, used or re-manufactured rail cars purchased or leased after this date for light rapid, commuter and intercity rail systems must be accessible. This accessibility effective date also applies to:</p> <ul style="list-style-type: none"> • acquisition of over-the-road buses by public entities for fixed route service, • purchase of new, used or re-manufactured vehicles for fixed route service by other public transit systems; • acquisition of fixed route vehicles other than an automobile, a van with a seating capacity of less than eight or an over-the-road bus, by private entities primarily engaged in transportation; • the purchase of fixed route vehicles with a seating capacity of more than 16 passengers by private entities not primarily engaged in transportation.
September 6,1991	Design standards for transportation stations, terminals and vehicles, issued by the Access Board, must be followed.
October 7, 1991	USDOT ADA regulations must be followed. New construction and alteration of intercity and commuter rail stations after this date must be accessible Public entities which have purchased accessible vehicles after this date must use mobility aid securement devices.
January 25, 1992	New construction and alteration of bus, rapid rail and light rail stations undertaken after this date must be accessible.
July 26, 1996	Large, private providers of over-the-road buses must begin to purchase accessible vehicles after this date
July 26,1997	Small, private providers of over-the-road buses must begin to purchase accessible vehicles after this date.

Introduction

The transportation provisions of the Americans with Disabilities Act (ADA) of 1990 cover all US transportation systems and vehicles in some way, except for accessibility improvements to commercial aircraft (covered by the federal Air Carrier Access Act of 1986), and vehicles individually owned or leased by private citizens.

Every other type of transportation system available to the general public, from Amtrak through hotel shuttle services to taxi services, is covered. Whether publicly or privately funded, owned, or operated, so long as a transportation service is open to the public, the ADA affects it. Like the facilities which the ADA defines as places of public accommodation, so too, does the law recognize that private transportation available to the public is nonetheless a public accommodation.

In the future, the ADA will cause substantial accessibility improvements at places of employment state and local government buildings, and places of public accommodation. Disabled people will need to reach accessible buildings via an accessible transportation system.

The following pages highlight the diverse types of transportation systems which must improve access under the ADA. Information is also provided about the extent of required accessibility improvements. With rare exception, better accessibility will be realized through vehicle purchases.

Of all the entities affected by the ADA few have more work to do than the transportation industry to upgrade accessibility. This pamphlet will educate transportation officials, individuals with disabilities and the general public about what transportation must become accessible, and when such transportation should be available.

Public transportation requirements are found within Title II, Part B, of the ADA- the private transportation provisions are in Title III of the law.

Title III covers publicly-funded transportation, including bus, rail, boats, ships, ferries or any other mode of transportation except air travel. Title I of the ADA covers privately owned or operated transportation which is available to the public.

The U.S. Department of Transportation issued regulations implementing both the public and private transportation requirements of the ADA on September 6, 1991. Portions of this regulation became effective on October 7, 1991 (see chart on page i) while others went into effect January 26, 1992. The federal Architectural and Transportation Barriers Compliance Board (ATBCB), also known as the Access Board, issued two separate regulations that became effective on September 6, 1991. One set contains technical standards to be followed for the purchase of transportation vehicles covered by the law. The second set adds Section 10 to the ADA Accessibility Guidelines (ADAAG), covering the accessible design and re-design of fixed transportation facilities, including terminals and stations.

Publicly funded transportation

Public bus acquisition

The ADA requires that any public entity purchasing or leasing a new bus for fixed route service after August 25, 1990 must purchase accessible buses. Fixed route service means the provision of specified transportation service in which a vehicle is operated along a prescribed route according to a fixed schedule. Any public entity which seeks to buy or lease a used bus after August 25, 1990 must make a demonstrated good faith effort to purchase accessible buses. Re-manufactured buses are also covered. After August 25, 1990, a public entity which re-manufactures, or buys re-manufactured buses, to extend the bus service life for five years or more, must provide accessible re-manufactured buses.

Over-the-road-buses, which have high floors and a baggage compartment underneath, if purchased by public entities for fixed route service after August 25, 1990, must also be lift or ramp equipped. All buses purchased by public entities must comply with the September 6, 1991 ATBCB technical standards for transportation vehicles (see page 21).

Any new, used, re-manufactured, or over-the-road bus purchased by a public entity after August 25, 1990, and operated in fixed route service must be accessible.

The Department of Transportation ADA regulations do not require under any circumstances that entities retrofit existing buses with lifts or ramps. Note that public entities cannot avoid the responsibility of accessible bus purchases through contractual arrangements. If a public entity contracts with a private entity to provide fixed route bus service, bus purchases must be for accessible vehicles.

Construction and alteration of bus terminals

After January 25, 1992 any new facility that provides public transportation services (bus stations and terminals) must be accessible to disabled persons, including wheelchair users. Alterations made by public entities after this date that affect the usability of a facility, wholly or in part must also be accessible to disabled persons.

Newly constructed or altered bus stations and terminals built after January 25, 1992 must be accessible. When alterations are undertaken to a primary function area of an existing bus station or terminal, an accessible path of travel to the primary function area must be constructed.

Primary Function Area

If a "primary function" area of a facility (ticket purchase and collection areas, passenger waiting areas, bus platforms, baggage checking and return areas) is altered, this area must be made accessible. The "path of travel" to the primary function area, including bathrooms, telephones, and drinking fountains serving the primary function area, must also be made accessible, as long as the cost of modifying the path of travel does not exceed 20% of the cost of altering the primary function area. The creation of an accessible path of travel may involve the construction of elements such as curb ramps, ramps, elevators, lifts and corridors. When the path of travel alterations costs exceed 20% of the primary function area alterations costs, the public entity should give priority to accessible elements that will provide the greatest access: an accessible entrance, an accessible route to the altered area; accessible restrooms; accessible telephones, accessible drinking fountains.

Private entities constructing or altering bus terminals must follow the Department of Justice's Title III regulations, which contain essentially the same provisions.

Accessible rail car purchases

After August 25, 1990, if a public entity purchases or leases a new rapid or light rail vehicle, or if new vehicles are purchased or leased for intercity or commuter rail service, they must be accessible to disabled individuals, including wheelchair users. If used vehicles are purchased for all of these rail systems after August 25, 1990, they must also be accessible. However, if a rail system makes demonstrated good faith efforts to obtain accessible used vehicles, and they are unable to do so, they may purchase inaccessible used vehicles.

If rail systems re-manufacture vehicles, or purchase or lease re-manufactured vehicles, to extend the useful life of the vehicle for five or more years in rapid and light rail systems (10 years for Amtrak and commuter rail vehicles), these re-manufactured cars must be accessible. However, for all covered rail systems, if an engineering analysis demonstrates that making a re-manufactured vehicle accessible would have a significant adverse effect on the structural integrity of the vehicle, they are not required to be made accessible. Re-manufactured historic rail cars for rapid and light rail systems do not have to be made accessible if the accessibility changes would significantly alter the historic character of the vehicle.

Any rapid (subway), light (trolley), commuter or intercity (Amtrak) rail vehicle purchased or leased after August 25, 1990 must be accessible. This requirement applies to the purchase or lease of new, used and re-manufactured rail vehicles.

Seating requirements

USDOT ADA regulations contain important seating requirements for Amtrak rail cars. By July 26, 1995, seating locations must be provided for individuals to park and to remain in a wheelchair. Seats and spaces to fold and store wheelchairs for persons wishing to transfer to a seat must also be available. The amount of these spaces should be equal to not less than one-half of the number of single level rail passenger coaches in the train. In addition, by July 26, 2000, both wheelchair parking and transfer/stowage spaces must be available, equal to the total number of single level rail passenger coaches in the train.

No more than two of each type of space described above may be provided in any one coach or food service car. If practical, the Amtrak system shall place accessible railcars adjacent to single level dining cars, so that mobility-impaired persons may obtain food service. On any Amtrak train equipped with a single or bi-level dining car, appropriate aids and services should be provided to mobility-impaired persons, to ensure equivalent food service. Mobility aid securement devices such as tie-downs, are not required on accessible Amtrak vehicles.

Accessibility of rail stations

Any new light (trolley) or rapid (subway) rail station constructed after January 25, 1992 shall be readily accessible to individuals with disabilities, including wheelchair users. New intercity (Amtrak) or commuter rail stations constructed after October 7, 1991, must also be accessible to individuals with disabilities.

Following the above effective dates, when a public entity alters an existing light rapid, intercity or commuter rail station in a way that affects the usability of the station, the altered portion shall be rendered accessible to the maximum extent feasible. When a primary function area of an existing rail station is altered, the public entity shall make the path of travel to area, and the bathrooms, telephones and drinking fountains serving it, readily accessible to disabled individuals, including wheelchair users (see page 4).

Newly constructed or altered intercity or commuter rail stations built after October 7, 1991 must be accessible. Rapid and light rail stations constructed or altered after January 25, 1992 shall be accessible. In addition, existing key stations in rapid, light and commuter rail systems must become accessible.

Key station modifications

In addition to the new construction and alterations requirements for rail stations operated by public entities, "key" existing stations in light rapid and commuter rail systems must become accessible. Key rail stations include those with above-average passenger boardings, transfer stations, interchange stations with other transportation modes, end stations, and stations serving major activity centers. On July 26, 1992, following a public participation process which included consultation with disability groups and individuals with disabilities, covered public entities submitted a key station compliance plan to the Federal Transit Administration. In general, key station accessibility improvements were to be completed by July 26, 1995; however, light and rapid rail systems with key station plans requiring extraordinarily expensive structural changes, could seek a time extension until July 26, 2020. Commuter rail systems with key station plans under similar circumstances could request an extension until July 26, 2010.

Key rail station agreements in existence in New York City and Philadelphia prior to the adoption of USDOT ADA regulations, remain in effect. While light rapid and commuter rail systems must make key existing stations accessible, all Amtrak intercity rail stations must be rendered accessible. July 26, 2010 is the accessibility compliance deadline for all Amtrak stations.

All AMTRAK intercity rail stations must be made accessible by July 26, 2010.

Other public transit systems

The USDOT ADA regulations also cover other public transportation systems, which may not necessarily be thought of as 'public' transit by most Americans. Such systems include:

- public university fixed route transit
- public airport fixed route systems, including those which operate strictly within an airport facility, and those which provide service beyond the airport
- bus service provided by an intercity commuter or rail operator as an extension of its service;
- dedicated bus service available only to commuter rail users.

The above transportation systems must follow rules governing commuter bus systems. This means that if the service is a fixed route, all new, used, or re-manufactured vehicles purchased after August 25, 1990 must be accessible, however, such systems are not required to provide complementary paratransit service.

The ADA also covers certain types of public demand responsive systems. Demand responsive service is any system of transporting individuals which is not a fixed route system. They include:

- vanpools that are operated by public entities;
- vanpools in which public entities own, purchase, or lease vehicles,
- public airport demand responsive systems.

To comply with the ADA such systems do not have to purchase only accessible vehicles, however, they must provide equivalent services to individuals with disabilities. Equivalent service must be provided in the most integrated setting appropriate to the needs of the individual and must be comparable in response time, fares, geographic areas of service, hours and days of service, reservations capability, capacity constraints and trip purpose restrictions.

School transportation

The USDOT ADA regulations do not apply to public school transportation systems. Such systems are covered by Section 504 of the Rehabilitation Act. Moreover, the USDOT ADA regulations do not apply to private school transportation systems, if the school receives federal financial assistance, and is currently providing equivalent service to individuals with disabilities. If the private school transportation system does not meet this criteria, then it must provide service as a private entity 'not primarily' engaged in the business of transportation (see page 18).

Other public transportation systems must also comply with the vehicle operator training and the provision of nondiscriminatory service requirements called for in the USDOT ADA regulations.

Complementary paratransit

The USDOT ADA regulations mandate that each public entity which operates a fixed route transit system shall provide complementary paratransit service to eligible individuals with disabilities. This does not apply to commuter bus, commuter rail, or intercity rail systems

ADA paratransit rules specify three categories of eligibility.

Category #1-any individual who is unable, as a result of a physical or mental impairment and without the assistance of another individual, to use an accessible fixed route system.

Category #2- any individual who requires a boarding device to use a fixed route vehicle, but who is using a route on which accessible fixed route vehicles are not being used. Also included in this category are: individuals who are unable to board or disembark an accessible fixed route vehicle due to unusable boarding/disembarking conditions,

- individuals whose wheelchairs can not be accommodated on existing accessible vehicles;
- individuals whose 'key' rail station is not yet accessible.

Category #3-any individual who has a specific impairment-related condition which presents such individual from traveling to a boarding location. Architectural barriers, such as the lack of curb ramps, and environmental barriers, such as weather conditions, alone do not constitute eligibility for paratransit within this category, however, the interaction of such barriers with the individual's impairment-related condition may form the basis for eligibility within this category.

Public entities which operate certain fixed route transit systems must provide complementary paratransit service. Individuals with disabilities must be certified as qualifying for ADA paratransit under one of three eligibility categories. Public entities must meet six paratransit service criteria by January 26, 1997 to achieve full ADA compliance.

The type of complementary paratransit service required by the ADA is origin-to-destination service. However, either on-call bus service or paratransit feeder service may be used by public entities to provide transportation for category #2 individuals. Category #3 individuals may also be served through paratransit feeder service to an accessible fixed route boarding location.

Other service characteristics are unique to ADA paratransit service. An eligible individual may be accompanied by a personal care assistant and one other individual. Public entities must establish a paratransit eligibility process, including an appeals process for individuals determined to be ineligible for service. Public entities may also establish a process to suspend service, for a reasonable time, to eligible passengers who establish a pattern of missing scheduled trips. ADA paratransit eligible visitors may use the ADA paratransit service in the area they are visiting but for no more than 21 days.

Each public entity required to provide complementary paratransit should have submitted a plan to comply with the regulation's paratransit service provisions by January 26, 1992. Full compliance with this plan must be achieved by January 26, 1997. If full compliance could not be achieved by January 26, 1993, the plan should have included milestones for measured progress toward full compliance.

Paratransit service criteria

There are six paratransit service criteria.

- **The service area**-for bus systems, paratransit service must be provided within corridors three quarters of a mile in width on each side of each bus route, and at the end of the route. For rail systems, paratransit is to be provided within a circle with a radius of three quarters of a mile around each rail station.
- **Response time**-eligible individuals may provide as little as 24 hours advance notice in scheduling a trip. Also, a trip may be requested by an individual up to 14 days prior to the trip date.
- **Paratransit fares**-they may not exceed twice the full transit fare for a similar trip on a public entity's fixed route system. Documented personal care assistants travel free on ADA paratransit service.
- **Trip purpose**-ADA regulations mandate that there can be no restrictions on trip purpose.
- **Hours and days of service**-these must be the same as the public entity's fixed route system.
- **Capacity constraints**-at the point of full compliance, the public entity can not place limits on the availability of paratransit service: each trip request must be fulfilled.

Public entities may provide subscription service to eligible individuals, but such service may not absorb more than 50% of the number of available paratransit trips. Public entities also have the option of requesting a waiver from USDOT for undue financial burden concerning the provision of ADA complementary paratransit service. Complementary paratransit vehicle operators must receive ADA-required training and must provide non-discriminatory service.

Accessible Transit and the Law Part 2

Accessible service requirements Providing non-discriminatory service

In general, the features which make buses and other vehicles accessible to persons with disabilities, such as lifts, ramps, and securement devices, must be maintained in an operative condition. The USDOT ADA regulations require that damaged accessibility features must be repaired promptly. This criteria applies to both public and private entities.

Both public and private entities must maintain vehicle accessibility features in an operative condition. All common wheelchairs, including power-operated and scooter vehicles, shall be accommodated. Standees shall be allowed to use lift devices.

Requirements for public entities

There are more stringent provisions for public entities, which operate lifts in any non-rail vehicle. A regular lift maintenance program must be established. Further, public entities must take inoperative lifts out of service before the beginning of the vehicle's next service day, and repair the lift however, if a spare vehicle is unavailable, the public entity may keep the vehicle with an inoperative lift in service for no more than five days, if the entity serves an area of 50,000 or less population. Vehicles with inoperative lifts may be kept in service for no more than three days, if the service area is over 50,000 population. If a vehicle with an inoperative lift is used on a route, public entities must provide alternative service when the headway to the next accessible vehicle exceeds 30 minutes.

Requirements for public and private entities

Concerning vehicle lift use, all common wheelchairs shall be transported. This rule clearly covers power-operated wheelchairs and scooters. If a vehicle is purchased after October 7, 1991, the public entity must use the vehicle securement device, and public entities may require the use of these devices on earlier-purchased vehicles. It would be discriminatory to deny transportation to a wheelchair user whose wheelchair is incapable of being secured. At all times, vehicle operators shall provide assistance in the use of accessibility features. For example, while some wheelchair users may be able to secure a harness/seatbelt at a bus securement location, others may need assistance, due to reduced upper extremity function.

Any disabled individual who is a standee needing to use a lift, regardless of disability, must be allowed to use it. This requirement applies to all vehicles purchased after October 7, 1991, as well as any accessible vehicle with or without handrails manufactured prior to October 7, 1991, except lifts made by the Environmental Equipment Corporation. These provisions apply to both public and private entities.

Communication services

The USDOT ADA rules also cover individuals with communications disabilities. These provisions must be followed by both public and private entities. On fixed route vehicles, these stops must be announced:

- transfer points with other fixed route systems,
- major intersections,
- major destination points,
- when a disabled passenger requests that a stop be announced.

Disabled individuals must be transported with their service animals. Adequate communications must be made available through accessible formats and technology, to enable riders with communications disabilities to obtain route and schedule information. For example, general transportation information may be provided through a telecommunication device for the deaf (TDD), or through Braille or large print materials for persons with sight disabilities.

Required training

The USDOT ADA rules mandate a comprehensive training program for employees in the transportation industry. This includes, but is not limited to, vehicle driver training in the safe operation of accessibility equipment

Each public or private entity, whether it operates fixed route or demand responsive service, must train its personnel to treat individuals with disabilities in a respectful and courteous manner. Transportation personnel should also be trained in the differences among individuals with disabilities, commonly known as sensitivity or awareness training. Finally, transportation personnel must be trained to provide assistance to disabled riders properly, such as attaching securement devices or fastening seatbelts. Since the use of transportation vehicles is a new environment for disabled individuals, all of these training requirements are critical.

Vehicle operators must receive training about the differences among individuals with disabilities, and they must be trained to provide appropriate assistance to passengers with disabilities.

Private transportation

Tour operators, airport shuttle services, commuter van services -- Private entities primarily engaged in transportation

This part of the USDOT ADA rules covers

- tour operations
- airport shuttle services
- commuter van services.

If a private entity operates fixed route service and purchases a vehicle, other than an automobile, a van with a seating capacity of less than eight or an over-the-road bus, after August 25, 1990, such vehicle must be accessible. Following the same exceptions and effective date, if a private entity purchases new vehicles for demand response service, such entity may either purchase accessible vehicles or provide equivalent service to disabled individuals.

Also, effective February 25, 1992 a private entity, primarily engaged in transportation, which purchases a van with a seating capacity of less than eight for either fixed route or demand response service may either purchase accessible vans or provide equivalent service.

Taxi service

Taxi service is included among systems which are primarily engaged in the business of transportation, providing demand response service. Taxi companies are not required to purchase accessible automobiles, however, if a taxi company purchases a vehicle other than an automobile, such vehicle must be accessible unless equivalent service can be provided. Under the ADA taxi companies cannot refuse to provide service, charge higher fares, or discriminate against individuals with disabilities.

Over-the-road buses

Over-the-road buses operated by private entities are also included within this category. Effective July 26, 1996, large providers of over-the-road buses must begin to purchase accessible vehicles. This requirement applies to smaller providers of private over-the-road bus service after July 26, 1997. However, the President of the United States may choose to extend these accessible vehicle purchase deadlines by a maximum of one year, if it is determined that requiring the purchase of accessible over-the-road vehicles would limit overall inter-city bus travel in this country.

USDOT has issued interim ADA regulations for private over-the-road bus providers to follow before the 1996 and 1997 bus acquisition dates are effective.

- Such entities must give assistance to disabled persons in boarding and disembarking.
- An individual's wheelchair must be stowed in a passenger compartment if possible and returned to the individual at a bus stop.
- If an over-the-road bus company is unable to stow the wheelchair in the passenger compartment then it must be stowed in the baggage compartment
- Private over-the-road bus companies may require 48 hours advance notice for providing boarding assistance, but without receiving such notice, must make efforts to reasonably accommodate the individual with a disability.

Private entities primarily engaged in transportation must provide ADA training to their employees, and they must ensure that service is offered to all disabled passengers in a non-discriminatory manner.

Private entities not primarily engaged in transportation

This section of the USDOT ADA regulations covers:

- hotel shuttle services
- amusement park transportation
- shopping center shuttle services
- private university transportation systems
- car rental agency shuttles.

If private entities not primarily engaged in transportation provide fixed route service and purchase vehicles with a seating capacity of more than 16 passengers after August 25, 1990, such vehicles shall be accessible. If such entities provide fixed route service and purchase vehicles with seating for 16 or fewer passengers, or if such entities provide demand response service and purchase vehicles with seating for more than 16 passengers, then they may purchase accessible vehicles or provide equivalent service. If private entities not primarily engaged in transportation operate demand response service and purchase vehicles with a seating capacity of 16 or less, they are required to provide equivalent service only to disabled individuals. In many instances, the provision of equivalent service may be contracted out to another transportation provider operating accessible vehicles.

These requirements ensure that no matter what type of service or vehicle capacity characterizes the private transportation provider, accessible service must be made available in some fashion.

The ADA training and provision of nondiscriminatory service requirements also applies to private entities not primarily engaged in transportation, whether they provide accessible service directly, or they contract out service to meet the equivalency standard.

PRIVATE ENTITIES "PRIMARILY" IN THE TRANSPORTATION BUSINESS		
Type of System	Type of Vehicle	Requirement
Fixed Route	All new vehicles except automobile, van with less than 8 passengers, or over-the-road bus	Acquire accessible vehicle
Demand Response	Same as above	Acquire accessible vehicle or provide equivalent service
Either Fixed Route of Demand Response	New vans, less than 8 passengers	Acquire accessible vehicle or provide equivalent service

PRIVATE ENTITIES "NOT PRIMARILY" IN THE TRANSPORTATION BUSINESS		
Type of System	Type of Vehicle	Requirement
Fixed Route	Over 16	Acquire accessible vehicle
Fixed Route	16 or less	Acquire accessible vehicle or provide equivalent service
Demand Response	Over 16	Acquire accessible vehicle or provide equivalent service
Demand Response	16 or less	Provide equivalent service

Accessible Transit and the Law Part 3

Design standards for vehicles and fixed facilities

Buses and vans

Lifts

To be considered accessible, any newly purchased, used, or re-manufactured bus, must be equipped with a level-change mechanism or boarding device. This could be either a lift or a ramp.

If lifts are chosen, they shall have a design load of at least 600 pounds. The lift controls must be interlocked with either the vehicle brakes, transmission, or door. This requirement ensures that the vehicle cannot be moved when the lift is in operation. The lift controls shall require the bus driver to apply continuous manual pressure to operate them. The design of the lift must also feature an emergency operation method if power to the lift fails.

To be considered accessible, new, used, or re-manufactured buses must be equipped with either a lift device or a ramp. The design of lifts and ramps must meet specifications issued by the

Each lift should also have barriers to prevent individuals using wheelchairs from rolling off the platform. Lifts should also follow these criteria:

- side barriers must be a minimum of 1 1/2 inches high
- the platform barrier ramp must have a slope not exceeding 1:8
- the lift platform itself must be 28 1/2 inches minimum width at platform level; 30 inches minimum clear width measured from 2 inches to 30 inches above the platform surface
- the lift platform must have a minimum clear length of 48 inches
- lift platforms must accommodate boarding in either direction.

Since individuals with disabilities who are standees are entitled to use lifts, they must be equipped with handrails on two sides. The usable component of the handrail must be at least 8 inches long, mounted between 30 inches and 38 inches above the platform surface.

Ramps

If ramps are provided on newly purchased, used, or re-manufactured vehicles, and they are longer than 30 inches, they shall have a design load of 600 pounds. If the ramp is shorter than 30 inches it shall have a design load of 300 pounds. Ramps shall have a minimum clear width of 30 inches and they shall be outfitted with side barriers at least 2 inches high. Vehicle ramps shall have the least slope practical and be capable of attaching securely to the vehicle when in use. This is to prevent movement of the ramp when it is being used by an individual in a heavy or power-operated wheelchair. Handrails are not required on ramps used with transportation vehicles, but if they are provided, they must follow USDOT ADA design standards.

Securement locations

At least two mobility aid securement locations are required on vehicles more than 22 feet in length. On such vehicles, at least one of these securement locations must face forward. On vehicles less than 22 feet in length, only one securement location is needed, and this must face either forward or rearward. These locations must be as near to the accessible vehicle entrance as possible. Further, each location must have a clear floor area of 30 inches by 48 inches, and each must be equipped with a seatbelt and shoulder harness. However, use of the seat belt/shoulder harness system may not be substituted for the required mobility aid securement device.

Whatever type of securement system is used on vehicles of 30,000 pounds or over, such system shall restrain a force of up to 2,000 pounds per securement leg and a minimum of 4,000 pounds per wheelchair. Securement systems on vehicles of under 30,000 pounds shall restrain a force of up to 2,500 pounds per securement leg and a minimum of 5,000 pounds per wheelchair. When the wheelchair is properly secured, this system shall limit the movement of an occupied wheelchair to no more than 2 inches in any direction under normal vehicle operating conditions.

Appropriate signs must identify securement locations. A stop request must also be provided at each of these locations. This stop request must be installed no higher than 48 inches nor lower than 15 inches above the floor.

The USDOT ADA vehicle specifications contain a variety of requirements for persons with sight and other mobility limitations. Contrasting colors must be utilized at step edges, thresholds, and at lift and ramp boarding edges. At least one set of forward facing front seats shall be designated as "priority seating" for disabled individuals. Brighter interior and exterior lighting is required at stepwells; and doorways.

Vehicles more than 22 feet in length must be equipped with a public address system for driver announcements or prerecorded messages. Finally, exterior vehicle destination and route signs must be illuminated, feature appropriate character sizes, and must contrast with their backgrounds.

Bus stops, bus shelters and bus stop signage

The ADA requires that where new bus stop pads are constructed at bus stops or at bus terminal bays, they shall have a minimum clear length of 96 inches and a minimum clear width of 60 inches, to provide an area for lift or ramp deployment. A maximum 2 percent slope for water drainage, perpendicular to the roadway, is allowable at new bus stops. Public entities are encouraged to select bus stop sites to comply, to the maximum extent practicable, with these requirements.

Where bus shelters are provided, both new or replaced shelters must allow for sufficient space for entry by a mobility-impaired person to reach at least one 30 inch by 48 inch clear space within the shelter, which is also connected to the accessible boarding area.

New bus stops and shelters must be accessible to individuals with mobility impairments. When new bus stop signage is installed or existing signage is replaced, it must meet design requirements which provide usability for persons with limited sight.

ADA regulations also contain provisions for bus stop identification signs, which apply when new bus route identification signs are installed, or when older signs are replaced. Such signs must have:

- a non-glare finish
- feature contrasting colors
- if practical, letters and numbers should have a minimum height of 3 inches.

These provisions will result in accessible and safe use of bus stops for mobility and sight-impaired persons.

Rail stations

The Americans with Disabilities Act Accessibility Guidelines (ADAAG) must be followed for new construction, alterations and key station renovations. This includes ADAAG sections 4.1 through 4.35, special occupancy sections 5 through 9, and special occupancy section 10, which contains transportation fixed facility provisions. An elevator exception contained in the law itself, which exempts the need for elevator installation in certain small buildings, does not apply to rail transportation stations and terminals.

Section 10 of the ADAAG contains a variety of important specifications for newly constructed rail stations. Features such as ramps, elevators, and fare vending and collection systems shall be designed both to minimize distances traveled by disabled individuals, and to coincide with circulation paths used by the general public. For rail stations and terminals, at least one entrance must be accessible. If different entrances serve different routes or groups of routes, then at least one entrance serving different routes, or groups of routes, shall be accessible.

In new construction, alteration, and key station renovation work at rail stations, the entire Americans with Disabilities Act Accessibility Guidelines (ADAAG) must be followed. This design standard contains technical provisions for transportation stations and terminals, including:

- accessible fare vending and collection systems
- audio warnings at platform edges
- direct access to other public facilities connected to rail stations

In new construction, a direct connection along an accessible route is required from boarding platforms to all commercial, retail, and residential facilities which are a part of the station. Accessible signage is required for the following:

- station entrance signs (if provided)
- station identification signs visible from within rail cars
- lists of stations, routes and destinations provided within a rail station.

Automatic fare vending and collection systems must be on an accessible route and be at least 32 inches in width. They also must include sufficient clear floor space and operable controls within reach ranges accessible to individuals with disabilities. Fare gates which must be opened by disabled individuals must have a smooth, continuous surface from 2 inches above the floor to 27 inches above the floor.

For individuals with sight impairments, detectable warnings are required at station platform edges. Detectable warnings must be 24 inches wide and must run the full length of the platform edge. For new stations where new vehicles provide rail service, the vertical gap between platform and vehicle must be plus or minus 5/8 inch in height and the horizontal gap must be no greater than 3 inches in width. Where existing vehicles provide service in newly constructed stations, the vertical gap can be plus or minus 1 1/2 inches in height. If these gap tolerance standards can not be met in light, commuter and intercity rail stations, then design options including mini-high platforms, car-borne or platform-mounted lifts, ramps or manually-deployed bridge plates must be utilized. At newly constructed rail stations, separate vehicle boarding or disembarking points for individuals with disabilities are prohibited.

Usable lighting is also required in new rail stations. Uniform illumination must be provided along circulation paths, and at station signage. At least one interior text telephone for individuals with hearing impairments is required if an interior public pay phone is provided, or if four or more public pay phones are provided at a station entrance. If a station public address system is provided, then a means of providing information to hearing-impaired persons must also be available. If it is necessary to cross rail tracks to reach an accessible platform, the horizontal gap on the inner edge of each rail can be no more than 2 1/2 inches in width to accommodate individuals with mobility impairments.

Where clocks are provided in new rail stations, they must utilize contrasting colors. Escalators in below-ground rail stations must be at least 32 inches wide and contain 2 inch wide step edge warning strips featuring contrasting colors. Elevators provided in new rail stations must have glazed or transparent panels, and all ticketing areas and baggage check-in and retrieval systems must be accessible to disabled persons.

Section 10 of the ADAAG also contains special technical provisions for accessibility to key existing stations. One accessible route of travel is required at key stations. All of the new rail station construction standards mentioned above must be followed in key station accessibility work except

- the requirement for different accessible entrances to different routes or groups of routes within a station
- the provision of a direct connection to commercial, retail and residential facilities within the station
- the prohibition of separate boarding and disembarking points
- the escalator design standards.

At key stations, if an accessible route leads from a public way to a paid area of the key station, then an accessible fare collection system must be provided on the accessible route to the paid area. Also at key stations, slightly more generous gap tolerances are allowable. In general, a vertical gap of plus or minus 1 1/2 inches in height and a horizontal gap not greater than 3 inches in width are the standards. In existing vehicles retrofitted to meet the "one car per train" rule (see page 28), a vertical gap of 2 inches and a horizontal gap of 4 inches is allowable. Where appropriate, other boarding devices, such as car-borne lifts and manually-deployed bridge plates, may be substituted to provide accessibility. While direct connections to commercial, retail and residential facilities within key stations are not required, such direct connections should be provided on an accessible route to the maximum extent feasible.

For alterations in existing rail stations to an area containing a primary function, private entities should follow the Department of Transportation regulations covering "path of travel." The Department of Justice's path of travel rules should be used by private entities altering such stations.

One car per train rule

By July 26, 1995, there must be one accessible car per train provided on Amtrak and commuter rail systems. By the same effective date, one car per train must be accessible in light and rapid rail systems, on each train consisting of two or more vehicles. By July 26, 1995, each train used in light, rapid, commuter, and intercity rail operations must contain at least one accessible car. Access features include: a 32 inch minimum width doorway; usable gaps between the boarding platform and the rail car; and, and accessible boarding device.

Access features to achieve the one car per train rule vary, depending on the type of rail system. For rapid rail operations, one accessible car per train means: the International Symbol of Accessibility must be displayed on the vehicle exterior

- gap tolerance standards must be achieved
- one 32 inch wide door must be provided
- a 32 inch minimum width path to two 30 inch by 48 inch wheelchair positions must be provided (this does not require the removal of existing seats, since passenger standing areas may be used)
- a slip-resistant floor surface must be provided at wheelchair positions
- "priority seating" signs for disabled individuals must be posted on other seats within the accessible car

For light rail systems, which may have level-entry cars or steps, the one car per train rule is achieved by meeting all of the above requirements, except that a suitable means of boarding access must be provided for non level-entry cars. Appropriate devices include mini-high platforms, car-borne or platform-deployed lifts, ramps, or manually-deployed bridge plates.

For commuter rail systems, the one accessible car per train rule is achieved by:

- affixing the International Symbol of Accessibility both on the vehicle exterior and at an accessible restroom, if provided
- having sufficient clearance for disabled individuals to move from the door or accessible entrance to two 30 inch by 48 inch mobility aid locations
- compliance with the gap tolerance standards or provision of a suitable entrance level-change device
- construction of one accessible restroom, if restrooms are provided.

The one car per train rule for Amtrak follows these same specifications, except that in place of two 30 inch by 48 inch mobility aid locations, Amtrak must provide at least one, but not more than two, wheelchair parking and transfer/stowage areas in each accessible car.

Rail vehicles

In addition to the vehicle design specifications which must be achieved to comply with the one car per train rule, other accessibility features must be incorporated in the design of new, used and re-manufactured rail vehicles. These additional design features take into account the differing operations of US rail systems.

Certain design features must be included in rapid, light commuter, and intercity rail vehicle purchases. If self-closing doors are installed in rail vehicles, both auditory and visual signals must be provided. Handrails and stanchions must be provided to assist disabled passengers with safe boarding and disembarking, on-board circulation, and seating and standing assistance. Accessible rail vehicles must be equipped with public address systems to provide information to disabled and other passengers. Either vertical and horizontal gap tolerances must be achieved, or an appropriate level-change device must be utilized.

For rapid and light rail vehicles, between car barriers must be provided in multi-car trains to enhance safety for sight-impaired passengers. Also, the doorway from an accessible rapid or light rail car to an adjacent car must be 30 inches minimum width, to facilitate the evacuation of disabled passengers in the event of an emergency.

Vehicles in light rail systems which are confined entirely to a dedicated right-of-way, shall provide level boarding. Light rail vehicles operating in pedestrian malls, city streets and other areas, shall provide wayside or car-borne lifts, mini-high platforms and other means of access. Signage must be placed at designated wheelchair locations on light rail vehicles, informing other passengers of the need to relinquish seats when wheelchair users board the vehicle.

In addition to the access features needed to meet the one car per train rule, purchases of new, uses or re-manufactured rail cars must include such items as: auditory and visual signals if self-closing doors are provided between car barriers for the safety of persons who are blind assistive handrails and stanchions for mobility-impaired persons.

If provided on commuter and intercity rail cars, at least one restroom must be accessible.

For both light and commuter rail vehicles, handrails and stanchions must be installed at entrances equipped with steps. Contrasting colors must be utilized at doorway thresholds and step edges, and enhanced lighting must be provided at stepwells, doorways and vehicle exteriors. If vehicle lifts or ramps need to be provided, the design specifications are similar to those for buses (see page 21); however, the installation of a rotary wheelchair lift is allowable if the system's operating conditions require it

For commuter and intercity rail vehicles, such vehicles shall provide level boarding wherever structurally and operationally practical. In commuter and intercity rail cars where the 32 inch minimum width accessible doorway connects to a vestibule, the vestibule itself shall be 42 inches minimum width. When public restrooms are provided on commuter and intercity rail cars, an accessible restroom having a clear floor area of 35 inches by 60 inches shall be provided.

Accessibility features required in Amtrak cars depend upon the type of service available. In single-level rail passenger coaches and food service cars, 32 inch wide doorways are required at boarding doors, in at least one adjacent doorway into coach passenger compartments, and in doorways at the ends of cars connecting to adjacent cars. Passageways to seating locations and sleeping compartments must be 32 inches minimum width. To achieve accessible boarding, the Amtrak system has the option of utilizing portable lift devices. Such devices must comply with lift design standards. In single-level dining and lounge cars, a 32 inch wide connecting doorway must be provided to the accessible car. Also, these cars must contain one wheelchair parking and one transfer/stowage space.

In bi-level dining cars, if the accessible car is an adjacent car, then a 32 inch wide connecting doorway must be provided. Bi-level dining cars must also feature handrails and stanchions, a slip resistant floor surface and a public address system. In bi-level lounge cars, an accessible boarding doorway must be provided on the lower level. If public restrooms are provided, there must be one accessible restroom. Bi-level lounge cars must also feature one wheelchair parking and one transfer/stowage space.

Amtrak must provide access in single-level rail passenger coaches, food service cars, lounge cars, dining cars, and sleeper cars.

On Amtrak sleeper cars, at least one accessible sleeping compartment which includes an accessible restroom, must be provided. Passageways to an accessible sleeping compartment must be at least 32 inches wide (42 inches wide through a vestibule).

Accessible restrooms must be provided in single-level rail passenger coaches and food service cars. Accessible restrooms are required in dining and lounge cars only if restrooms are provided for other passengers.

For all rail systems covered by the USDOT ADA regulations, training is required of all personnel in the requirements of the law. Also, US rail systems, like other public entities, are required to provide service to individuals with disabilities in a non-discriminatory manner

Important Compliance Deadlines

January 26, 1992	Complementary paratransit plans submitted by public entities to Federal Transit Administration.
July 26, 1992	Key existing station plans for rapid, light and commuter rail systems submitted to Federal Transit Administration.
July 26, 1995	Renovations to key rail stations not requiring extraordinarily expensive structural changes must be completed. One accessible car per train must be provided on rapid, light commuter and intercity rail systems.
January 26, 1997	Full complementary paratransit service must be achieved.
July 26, 2000	Amtrak must have mobility aid and transfer/stowage locations equal to the total number of cars on a train.
July 26, 2010	All Amtrak stations must be accessible. Renovations to key commuter rail stations involving extraordinarily expensive structural changes must be completed.
July 26, 2020	Renovations to key rapid and light rail stations involving extraordinarily expensive structural changes must be completed.

Consumer Complaints

Like other civil rights laws in the United States, the ADA is complaint-enforced. While remedies exist for violations of the law, disabled individuals who experience discrimination in public and private transportation programs are encouraged to take action.

Allegations of discrimination in public transportation programs should be provided in writing to:

Office for Civic Rights
Office of the Secretary
US Department of Transportation
400 7th Street, S.W., Rm. 10215
Washington, DC 20590

For instances of discrimination in private transportation, complaints should be forwarded to:

Civil Rights Division
Disability Rights Section
US Department of Justice
Post Office Box 66738
Washington, DC 20035-6738