

Public Right-of-Way Accessibility Guidelines (PROWAG)

Presenter



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AGENDA

- Architectural and Transportation Barriers Compliance Board (U.S. Access Board)
- The PROWAG Rulemaking History
- PROWAG Purpose
- ADA, ABA or PROWAG
- Requirements to Provide Accessibility
- Finalization of PROWAG
- Adoption of PROWAG
- Resources

U.S. Access Board's Mission

The Access Board:

- 1. Develops minimum accessibility guidelines & standards
- 2. Provides technical assistance & training on these guidelines and standards
 - Americans with Disabilities Act Accessibility Standards (ADA) https://www.access-board.gov/ada/
 - Requirements for fixed elements
 - Architectural Barriers Act Accessibility Standards (ABA) https://www.access-board.gov/aba/
 - Requirements for fixed elements
 - Public Right-of-Way Accessibility Guidelines (PROWAG) https://www.access-board.gov/prowag/
 - Medical Diagnostic Equipment Accessibility Standards (MDE) <u>https://www.access-board.gov/mde/</u>
 - Transportation Vehicle Guidelines https://www.access-board.gov/ada/vehicles/
 - Section 508 <u>https://www.access-board.gov/ict/</u>
- 3. Enforces the Architectural Barriers Act (ABA) Standards

U.S. Access Board

- Independent federal agency
- About 30 staff
- Governing Board
- Budget: over \$9 million

 13 Public Members appointed by the President (4-year terms); majority must have a disability

• 12 Representatives from Federal Departments

Rulemaking Process

- The Access Board uses the federal rulemaking process with public input.
- The advisory committees included industry, advocates, and agencies.
- Committees helped build consensus and shape proposed rules.



Approval Process

- The OMB reviews all proposed and final rules.
- Review period is typically 90 days.
- A regulatory assessment analyzes cost and benefits.



Board Structure



U.S. Access Board History

Early Board History

 Congress passed the Architectural Barriers Act (ABA), the first federal law to address accessibility, to make federal facilities accessible to people with disabilities.



Board History 1990 - Present

A comprehensive measure to protect the rights of people with disabilities. Bans discrimination based on disability.



Swift Parrino, Chairperson, National Council on Disability



Evan Kemp, Chairman of the Equal Employment Opportunity Commission Justin Dart, Chairman of the President's Committee on Employment of People with Disabilities

President George H. W. Bush

PROWAG RULEMAKING HISTORY

Rulemaking History (1990-1998)

- The Access Board began developing accessibility guidelines for pedestrian facilities in the public rights-of-way (ROW) shortly after the ADA was enacted in 1990
- 1992: The Board issued proposed guidelines for state and local government facilities, including pedestrian facilities in the ROW, followed by interim guidelines in 1994
- In response to the proposed and interim guidelines, the Board received numerous public comments that indicated a need for further outreach, education, and research on accessible pedestrian facilities in the public ROW
- I998: The Board issued its first final guidelines for state and local government facilities without public ROW requirements due to concerns expressed through public comments

Rulemaking History (1999-2005)

- October 20, 1999 The Board organized the Public Rights-of-Way Access Advisory Committee
- January 10, 2001 The Public Rights-of-Way Access Advisory Committee submitted its report to the Board
- June 17, 2002 The Board released draft guidelines for public comment
- November 23, 2005 The Board released revised draft guidelines for purposes of gathering information for a cost analysis
- July 2007, Released The Planning and Design Guide for Alterations

Rulemaking History (2011-Present)

- July 26, 2011 The Board issued a notice of proposed rulemaking (NPRM) for public comment
- February 13, 2013 The Board issued a supplemental notice of proposed rulemaking (SNPRM) for public rights-of-way to address shared use paths
- August 8, 2023 Board published PROWAG final rule
- July 3, 2024: GSA Federal Management Regulation adopts PROWAG.
- December 18, 2024 The Department Of Transportation issued a final rule adopting PROWAG.

Why Accessibility Matters

Civil rights requirement under the ADA

Supports aging populations and individuals with disabilities

Improves usability for all

ADA, ABA or PROWAG

Requirements to Provide Accessibility

Applicable Standards & Guidelines

- Follow ADA, ABA, and PROWAG rules
- Each applies to different projects
- Goal: safe, Equal, independent access



Applicable Standards & Guidelines - ADA

•Americans with Disabilities Act (ADA) Accessibility Guidelines



Applicable Standards & Guidelines - ABA

Architectural Barriers Act (ABA) Accessibility Guidelines



Applicable Standards & Guidelines - PROWAG

Public Right-of-Way Accessibility Guidelines (PROWAG)



Preamble

The preamble to the 2023 Public Right-of-Way **Accessibility Guidelines** (PROWAG) serves as the official explanation and legal foundation for the final rule issued by the U.S. Access Board.

PREAMBLE to the 2023 PROWAG **FINAL RULE**

PROWAG

Purpose -

These guidelines contain scoping and technical requirements to ensure that pedestrian facilities located in the public right-of-way (including a public right-of-way that forms the boundary of a site or that lies within a site bounded by a property line), are readily accessible to and usable by pedestrians with disabilities.

Public Right-of-Way Accessibility Guidelines

About the ADA and ABA Accessibility Guidelines for the Public Right-of-Way



The Access Board has published new guidelines under the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA) that address access to sidewalks and streets, crosswalks, curb ramps, pedestrian signals, on-street parking, and other components of public right-of-way. These guidelines also review shared use paths, which are designed primarily for use by bicyclists and pedestrians for transportation and recreation purposes.

Public Right-of-Way Accessibility Guidelines

Preamble to the Final Rule for Pedestrian Facilities in the Public Right-of-Way

Published in the Federal Register on August 8, 2023.

36 CFR Part 1190 Docket No. ATBCB 2011-0004 RIN 3014-AA26

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Final rule.

PROW

Public Right-of-Way –

Public land acquired for or dedicated to transportation purposes, or other land where there is a legally established right for use by the public for transportation purposes.



Chapter R1:

Application and Administration

Establishes the purpose, applicability, flexibility, and conventions governing the guidelines. It serves as a foundation for the rest of the room.



Chapter R2:

Scoping Requirements

Establishes where and under what conditions accessibility features must be provided in the public right of way.



Chapter R3:

Technical Requirements

Establishes the technical specifications that pedestrian facilities must meet. Ensures accessible pedestrian routes are safe, usable and consistent across environments.



Chapter R4:

Supplemental Technical Requirements

Contains detailed technical requirements for specific components referenced throughout PROWAG.



Design Challenge: Obstructions in Sidewalk

Scenario

- Utility poles and signal cabinets obstruct sidewalk
- Issue
 - PROWAG R302.2
 - 48-inch clear width required, utilities must not obstruct route

Solution

Relocate or create walk-arounds

Pedestrian Circulation Path (PCP) VS. **Pedestrian Accessible Routes** (PAR)

Pedestrian Circulation Path (PCP)

Pedestrian Circulation Path - A prepared exterior or interior surface provided for pedestrian use.



Pedestrian Access Route (PAR)

Pedestrian Access Route - An accessible, continuous, and unobstructed path of travel for use by pedestrians with disabilities within a pedestrian circulation path.



Sidewalk Zones

- Frontage Zone
- Pedestrian Zone
- Furnishing Zone
- Curb Zone



Design Challenge: DWS Manhole Lid

Scenario

 At a signalized intersection, a cast-iron utility manhole lid is placed within the area where a detectable warning surface (DWS) is required on a curb ramp, resulting in a break in the dome pattern.

Issue

305.1.4 DWS be 24 inches minimum in depth and width of curb ramp

Solution

- Coordinate with utilities to move lid outside DWS.
- Use custom DWS with full depth and Dome continuity.
- Use modular tiles, don't cut domes.

Alteration vs. New Construction

Alteration or altered – A change to or an addition of a pedestrian facility in an existing, developed public right-of-way that affects or could affect pedestrian access, circulation, or usability

Developed – Containing buildings, pedestrian facilities, roadways, utilities, or elements



New Construction – Greenfield



Alteration – Developed 35

Pedestrian Access Routes (PAR)
Pedestrian Access Routes (PAR) – R203

- R203.2 Connection to Accessible Facilities
- R203.3 Pedestrian Circulation Paths
- R203.4 Crosswalks
- R203.5 Pedestrian At-Grade Rail Crossing
- R203.6 Curb Ramps and Blended Transitions
- R203.7 Pedestrian Overpasses and Underpasses
- R203.8 Ramps
- R203.9. Elevators and Limited Use/Limited Application Elevators
- R203.10 Platform Lifts
- R203.11 Doors, Doorways, and Gates



Pedestrian Access Routes (PAR) – R302

R302.2 Continuous clear width
R302.3 Passing Spaces
R302.4 Grade
R302.5 Cross Slope
R302.6 Surface



Curb Ramps – R304

R304 Curb Ramps and Blended Transitions

- R304.1 General
- R304.2 Perpendicular Curb Ramps
- R304.3 Parallel Curb Ramps
- R304.4 Blended Transitions
- R304.5 Common Requirements

PROWAG R209 – Street Furniture

- R209.2 Drinking Fountains
- R209.3 Public Street Toilets
 - Permanent Public Street Toiles
 - Portable Toilet Units
- R209.4 Tables
- R209.5 Sales or Service Counters
- R209.6 Benches
- R209.7 Operable Parts



Design Challenge: No Route to Transit Stop

- Scenario
 - Bus shelter on concrete pad in grass with no path
- Issue
 - No accessible route to sidewalk
- Solution
 - Build 4-ft wide concrete path to sidewalk
 - Ensure <5.0% running slope; <2.1% cross slope</p>
 - Grade for proper drainage

Adoption of PROWAG

- Access Board finalized in 2023
- Becomes enforceable when adopted
- Fills a gap to provide standards in the public right-of-way



What's Next

Enforceable under the ADA* after adoption by -

Department of Justice, Department of Transportation
 *Title II entities have obligations under the ADA to ensure their facilities are accessible to and usable by pedestrians with disabilities.

Enforceable under the ABA after adoption by -

 General Services Administration, Department of Defense, Department of Housing & Urban Development, U.S. Postal Service

Agency Rule Making Agenda: https://reginfo.gov

Design Challenge: APS Devices on Same Pole

Scenario

There are two APS Devices on Same Pole

Issue

- APS for two crossings on same pole
 - 10 ft separation required or clear speech
 - Tactile arrow must point to correct crosswalk

Solution

- Move one APS to a separate pole, 10 ft apart
- Use street-named speech messages
- Ensure tactile arrow points along the crossing path

Resources

YouTube

PROWAG YouTube Playlist





Need more PROWAG?

Archived Webinars:

- Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way
- Designing Accessible Crosswalks
- Accessible Bus & Van Transportation www.accessibilityonline.org/ao/archives/
- To register for the webinar series: <u>www.accessibilityonline.org</u>

Technical Guides on the Standards



Available on the Board's website: www.access-board.gov/ada/guides/

Technical Assistance



Technical Assistance Phone: (202) 272-0080, Ext. 3 E-mail: ta@access-board.gov



Right-of-way

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Questions?