New Accessibility Guidelines for Public Rights-of-Way

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On August 8, the U.S. Access Board issued a final rule on accessibility guidelines for pedestrian facilities in the public right-of-way. These guidelines inform federal, state, and local government agencies on how to make their pedestrian facilities, such as sidewalks, crosswalks, shared use paths, and on-street parking, accessible to people with disabilities. **The final rule is effective September 7, 2023.**

Key accessible features of pedestrian facilities specified in these guidelines include:

Pedestrian Access Routes: Sidewalks, shared use paths, and other pedestrian circulation paths must contain a "pedestrian access route," which is required to be accessible to and traversable by individuals with disabilities. The portions of these sidewalks and paths that comprise the pedestrian access route must be wide enough to minimize the possibility of a pedestrian using a mobility device falling into a roadway when passed by another pedestrian. Pedestrian access routes have specified cross slopes and running slopes so that they are traversable by pedestrians using manual wheelchairs or other mobility aids without exhaustive effort. Surfaces of paths in the pedestrian access route must be firm, stable, and slip resistant, without large openings or abrupt changes in level. Objects may not hazardously protrude onto sidewalks, shared use paths, or other pedestrian circulation paths.

Alternate Pedestrian Access Routes: When an entity closes a pedestrian access route for construction, it must provide a temporary alternate pedestrian access route with basic accessible features. Alternate pedestrian access routes ensure that construction in the public right-of-way does not prevent pedestrians with disabilities from reaching their destinations.

Accessible Pedestrian Signals: All new and altered pedestrian signal heads installed at crosswalks must include "accessible pedestrian signals" (APS), which have audible and vibrotactile features indicating the walk interval so that a pedestrian who is blind or has low vision will know when to cross the street. Pedestrian push buttons must be

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located within a reach range such that a person seated in a wheelchair can reach them. The walk speed used to calculate the crossing time allows pedestrians with disabilities sufficient time to cross.

Crosswalks: Curb ramps and detectable warning surfaces are required where a pedestrian circulation path meets a vehicular way. Crosswalks at multilane roundabouts and channelized turn lanes must have additional treatments that alert motorists to the presence of pedestrians or slow or stop traffic at those crosswalks.

Transit Stops: Boarding and alighting areas at sidewalk or street level, as well as elevated boarding platforms, must be sized and situated such that a person with a disability can board and alight buses and rail cars. Pedestrian access routes must connect boarding and alighting areas and boarding platforms to other pedestrian facilities. Transit shelters must have clear space for use by a person in a wheelchair.

On-Street Parking: On-street non-residential parking must have designated accessible parking spaces sized so that a person with a disability may exit a parked vehicle and maneuver to the sidewalk without entering a vehicular way. Standard size designated accessible on-street parking spaces must be situated near an existing crosswalk with curb ramps.

These minimum guidelines will become enforceable once they are adopted, with or without modifications, as mandatory standards under the ADA by the U.S. Department of Justice (DOJ) and the U.S. Department of Transportation (USDOT), or the four federal agencies that set standards for the federal government under the Architectural Barriers Act: the U.S. Postal Service (USPS), General Services Administration (GSA), U.S. Department of Defense (DOD), and U.S. Department of Housing and Urban Development (HUD).

Learn more about the ADA and local government requirements in VLCT's Improve Accessibility Toolkit.

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