

Dunbar Bridge Pedestrian Access Project
City of Dunbar, Kanawha County, West Virginia



***West Virginia Department of
Transportation***

Americans with Disabilities Act (ADA) Transition Plan

July 14, 2017

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WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

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Americans with Disabilities Act / Section 504 Policy Statement

The Americans with Disabilities Act (ADA) of 1990 is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life. Title II of the ADA applies to State and local governments for programs, services and activities and prohibits discrimination against qualified individuals with disabilities.

The West Virginia Department of Transportation (WVDOT) prohibits discrimination and will ensure that no qualified person with a disability will be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any of its programs, services, or activities, including hiring and employment activities as provided by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA).

For the purpose of this policy, a person with a disability is defined as any person who:

- Has a physical or mental impairment that substantially limits one or more major life activities
- Has a record of such an impairment
- Is being regarded as having such an impairment

The WVDOT has charged the Civil Rights Compliance Division to answer ADA related questions and provide information on established procedures for filing a complaint alleging discrimination on the basis of a disability. The Civil Rights Compliance Division can be reached at 304-414-6877 or a complaint can be filed at DOTFORMS.WV.GOV/ADA

Byrd E. White, III
Secretary of Transportation
Commissioner of Highways

7-24-2020
Date

E.E.O./AFFIRMATIVE ACTION EMPLOYER

Americans with Disabilities Act (ADA) Transition Plan

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1 INTRODUCTION

This Americans with Disabilities Act (ADA) Transition Plan is intended to serve as a revised document of the original 1992 "Action" Plan. The purpose of this document is to fulfill the requirements of Section 504 of the [Rehabilitation Act of 1973 \(Rehabilitation Act\)](#) and [Title II of the ADA of 1990](#).

The ADA Transition Plan serves as an informational document for state and local partners, the citizens of West Virginia, and those who visit West Virginia. The West Virginia Department of Transportation (WVDOT) intends this to be a living document.

In this document, the WVDOT looks backward to assess what it has accomplished. It also looks forward in the development of greater means of accessibility for persons with disabilities throughout the State. The WVDOT's vision is to consider accessibility features in the planning, design, construction, and maintenance of all projects. With the goal of using taxpayer dollars wisely, judiciously, and finding technically feasible and creative solutions to provide accessibility for all individuals to the maximum extent feasible.

It is the mission of the WVDOT to create and maintain for the people of West Virginia, the United States, and the World, a multi-modal and inter-modal transportation system that supports the safe, effective and efficient movement of people, information, and goods that enhances the opportunity for people and communities to enjoy environmentally sensitive and economically sound development.

1.1 BACKGROUND

The Rehabilitation Act is a national law which prohibits discrimination on the basis of disability in programs, activities and services that receive Federal financial assistance. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. The WVDOT's assurance to its federal funding sources that WVDOT programs, services, facilities or activities will meet ADA compliance standards, also applies to the programs and activities of each entity that receives funds from the WVDOT. The requirements of the Rehabilitation Act apply not only to programs

and activities provided and controlled directly by the WVDOT, but also to programs or activities of entities that receive Federal funds through the WVDOT, even though the WVDOT does not control them directly.

The Americans with Disabilities Act of 1990 (ADA) (revised with the advent of the 2008 ADA Amendments Act) is a federal civil rights statute that prohibits discrimination against people who have disabilities. There are five (5) separate titles of the ADA relating to different aspects of potential discrimination, as listed below.

- [Title I – Employment](#)
- [Title II – State and Local Government](#)
- [Title III – Public Accommodations](#)
- [Title IV – Telecommunications](#)
- [Title V – Miscellaneous](#)

Title II of the ADA specifically addresses the subject of making public services and public transportation accessible to those with disabilities. The WVDOT does not discriminate on the basis of disability, in the admission of, access of, or operations of its programs, services, facilities or activities.

[The Department of Justice \(DOJ\) Regulations, Federal Register 28 CFR Part 35](#) states that, *"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."* Additionally, it states that, *"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 walkways cross curbs, giving priority to walkways serving entities covered by the Act..."* The requirements of the ADA apply to all public entities or agencies, no matter the size.

Title II of the ADA prohibits discrimination on the basis of disability by state and local governments by making all programs, services, facilities, and activities accessible to persons with

disabilities. With the advent of the ADA, designing and constructing facilities for public use that are not accessible by people with disabilities constitutes discrimination.

The WVDOT is obligated to remove physical barriers to accessibility to the greatest extent feasible to insure access to programs, services, facilities, and activities. For the WVDOT, the programs, services, facilities, or activities are any that are transportation related. These can include but are not limited to:

- Roadways
- Contiguous walkways
- Intersections
- Rest areas
- Welcome centers
- Public transportation
- Public meetings, notices of the meetings and literature related to any of these.

The ADA applies to all facilities, including both facilities built before and after 1990. As a necessary step to a Transition Plan to provide accessibility under the ADA, state and local government, public entities or agencies are required to perform self-evaluations of their current facilities, relative to the accessibility requirements of the ADA. The agencies are then required to develop a Transition Plan to address any deficiencies.

The ADA does not require the WVDOT to take any action that would fundamentally alter the nature of its programs or services or has otherwise been determined to be technically infeasible.

1.2 ADA POLICY BOARD

1.2.1 Standing Members

On August 1, 2014, the Secretary of the WVDOT formed the internal ADA Policy Board (Board) to oversee the long-term ADA program functions of the WVDOT. The Board is comprised of management members so designated by the Secretary of the WVDOT, or his respective agency heads. The membership of the Board shall be representative of the WVDOT as a whole and is given authority to act on behalf of the head of the agency for board matters. The Board is to be comprised of the following individuals:

1. State Highway Engineer, West Virginia Division of Highways (WVDOH), Chairperson
2. Director of the WVDOT Civil Rights Compliance Division
3. Deputy State Highway Engineer – Construction & Development, WVDOH
4. Deputy State Highway Engineer – Operations, WVDOH
5. Deputy State Highway Engineer – Planning & Programming, WVDOH
6. One representative from the WVDOT, Division of Motor Vehicles
7. One representative from the WVDOT, Division of Public Transit

1.2.2 Role and Functions

The Board shall meet as often as deemed necessary, but not less than four times per year, or once in each quarter. Meetings shall be for the purpose of executing the assigned functions of the Board, which shall include, but not be limited to:

1. Identify existing facilities that limit access for persons with disabilities
2. Review the development of the WVDOT revised ADA Transition Plan and subsequent necessary revisions
3. Review and disposition of any exception justification requests related to the most current ADA guidance
4. Review recommended ADA policies and procedures updates

2 FIVE ADMINISTRATIVE REQUIREMENTS

2.1 SELF-EVALUATION

In preparing an ADA Transition Plan a survey of existing facilities is required to determine whether there are physical barriers to accessibility. Barriers identified as limiting accessibility within the public right-of-way are to be listed in an inventory. The methods implemented to remove the barriers, and the schedule of work are to be identified.

The WVDOT is responsible for approximately 39,000 miles of state-owned roadway in 55 counties throughout West Virginia. Additionally, the WVDOT has 102 public buildings consisting of WVDOH District Headquarters, WVDOH County Headquarters, and WVDOH Interstate Rest Areas.

As part of a field study conducted in 2013 designed to assess which incorporated West Virginia municipalities had over 50 employees thus requiring an ADA Transition Plan, questionnaires were mailed to all 233 incorporated municipalities in West Virginia, of which 108 municipalities responded. Fifteen (15) of the municipalities responding employ over 50 full time employees requiring them to have written ADA Transition Plans; only five (5) indicated they had an ADA Transition Plan in place.

[Under West Virginia State Code 5](#), incorporated municipalities are responsible for the maintenance of sidewalks within their boundaries. In these instances, the WVDOT has been and will continue to be proactive and available to work with municipalities in their endeavor to conduct Self-Evaluations available for inspection and develop ADA transition plans where required. ADA training addressing Self-Evaluation and ADA Transition Plan development obligations has been made available to Metropolitan Planning Organizations and West Virginia municipalities during annual WVDOH Planning Conferences and upon request.

2.1.1 Data Collection – Inventory

The WVDOT has determined, for the benefit of all West Virginia citizens and visitors, all existing curb ramps within the public right-of-way change with time and must be checked for compliance on a regular basis. Curb ramps are to be considered regularly reviewable in conjunction with the paving program to ensure ongoing compliance. The WVDOT curb ramp inventory database has been collected to meet the Federal Highway Administration (FHWA) guidelines for compliance with the ADA. The WVDOT's inventory database documents the presence or absence of curb ramps where a pedestrian crossing, whether marked or unmarked, crosses a roadway within the WVDOT's jurisdiction.

The WVDOT utilizes a roadway data acquisition and analysis mapping system to obtain curb ramp point location data where curb ramps exist in the public right-of-way, as well as curb barriers. The data collection work was performed statewide on all US, WV, and county routes in addition to other non-continuous road sections that include pedestrian access routes.

The curb ramp point location inventory database has been compiled by the WVDOH using three existing data sources:

1. Information retrieved as an ESRI file geodatabase from the current roadway data acquisition and analysis mapping system was transferred to the WVDOT Spatial Data Server (SDE).
2. A field study conducted in 2013 including curb ramp point location data from two counties was merged and stored in the SDE.
3. A limited study conducted within the City of Huntington, West Virginia, in 2015, using LiDAR data to demonstrate the feasibility of extracting curb ramp point location information from a LiDAR point cloud, was also merged and stored in the SDE.

The initial data collection provided approximately 12,000 curb ramp point locations. Latitude and longitude fields were added for each point to produce a Google Street View for a designated data point.

Under the auspice of the WVDOH Planning Division, the WVDOT employed temporary summer help to gather, assess and edit additional data points via a method to virtually tour populated places along state owned roadways using Google Street View. The initial data check was to verify that all designated curb ramp point locations that had been gathered existed within the borders of the State. Additional checks were to verify reasonableness, curb ramp point location along a state-owned roadway, duplicate curb ramp point locations were eliminated, and missed curb ramp point locations were captured. One Hundred Percent (100%) of the virtual data collection method has been completed with approximately 20,944 curb ramp or barrier point locations identified.

It is expected the virtual review data collected will have gaps inherent to date of image reviewed and reviewer error. Any gaps in the data is expected to be picked up during a field assessment. The curb ramp point location data identified is not a complete list and will always be evolving. The curb ramp point location data is available at <https://gis.transportation.wv.gov/ada/crb/>

2.1.2 Data Collection – Field Assessment

The curb ramp point location data has been verified by the WVDOH Planning Division and a physical assessment of all documented curb ramp point locations will be performed through the auspices of the Civil Rights Compliance Division in cooperation with the Strategic Performance Management Division at the WVDOH District level utilizing a specialized data application to collect and transmit the field survey results to a versioned SDE geodatabase. Curb ramp aspects to be collected in the field will include measured values for:

1. Ramp slope
2. Cross slope
3. Width
4. Turning Space
5. Detectable warning
6. Flush threshold to the adjoining roadway
7. Clear Space

Additionally, cross walk locations along the pedestrian access route and pedestrian push button locations will be collected and cataloged. It is anticipated that a Data Collection Specialist, assigned within the Civil Rights Compliance Division, will assess and collect data within the WVDOH Right of Way. They will collect visual data to update existing virtual location data within WVDOH ADA Curb Ramp and Barriers data set. It is anticipated the Data Collection as specified will be complete by 2025

2.1.3 Data Collection – Public Buildings

Architectural barriers are defined and measured against the [2010 ADA Standards for Accessible Design](#) which has been adopted and enforced by the DOJ effective March 15, 2012. The WVDOT plans to initiate the architectural barrier review of 102 public buildings by December 2021. The results and subsequent plan to address any deficiencies identified will be added to the ADA Transition Plan as deemed necessary by the Board.

2.2 TRANSITION PLAN

The WVDOT, in accordance with 28CFR 35.150 (d), developed its initial ADA “Action” Plan in 1992 with emphasis being placed on curb ramp installation. Since the implementation of the 1992 ADA Action Plan, increasing emphasis has been placed on accessibility of infrastructure within the public right-of-way. This revision of the 1992 ADA “Action” plan reflects the WVDOT’s intent to achieve and maintain compliant accessible programs, services, facilities, or activities on an ongoing basis. This ADA Transition Plan sets forth in a comprehensive document the steps the WVDOT will take, working together with its federal, state, and local partners, as well as non-profit groups and citizens, to provide accessibility to persons with disabilities in WVDOT transportation projects and services throughout the State.

The ADA Transition Plan is a living document and will be updated and revised regularly until all accessibility barriers have been removed to the greatest extent feasible. The ADA Transition Plan addresses pedestrian access along the WVDOT right-of-way. The accessibility of pedestrian facilities in the public right-of-way is only one aspect for providing equal access to state government programs, services, facilities, and activities, but it is an aspect that affects many citizens in their daily activities.

The focus of the ADA Transition Plan is accessibility including the following features within the public right-of-way, but not limited to:

1. Driveway crossings
2. Crosswalks
3. Median crossings
4. Pedestrian activated signal systems
5. Sidewalks
6. Pedestrian paths
7. Curb ramps

Additionally, all WVDOT public buildings which are open and made available to the public are to be accessible. The ADA requires public accommodations to provide services to people with disabilities on an equal basis with the rest of the public.

2.2.1 Directives and Details Implemented to Provide Accessibility

The WVDOT has adopted guidance in response to the [DOJ/FHWA Joint Technical Assistance briefing memorandum on Title II of the ADA requirements](#) to provide curb ramps when streets, roads, or highways are altered through resurfacing.

The WVDOT makes the accommodation of persons with disabilities a routine and integral part of its planning, design, construction, and maintenance process. New construction and alteration projects must be designed and constructed in accordance with the most current accessibility standards. The WVDOT has adopted the [Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way, July 26, 2011 \(PROWAG\)](#) as the standard for ADA compliance within the public right-of-way.

The WVDOT currently implements necessary ADA compliance upgrades within all existing pedestrian facilities that are altered as part of new construction projects and alteration projects such as resurfacing. All curb ramps within a roadway alteration project will be reviewed and assessed for implementation of necessary compliance upgrades when a roadway alteration project has been approved.

Alterations to existing facilities, within the scope or limits of a project, must provide usability by persons with disabilities to the maximum extent feasible. Existing location constraints effecting feasibility include, but are not limited to:

1. Underlying terrain
2. Right-of-way availability
3. Underground structures
4. Adjacent developed facilities
5. Drainage
6. The presence of a notable natural or historic feature.

Where existing physical constraints make it infeasible for altered elements, spaces, or facilities to fully comply with new construction requirements, compliance is required to the maximum extent feasible within the scope of the project.

The WVDOT continues to update the WVDOT policy concerning curbs and sidewalks. The WVDOT Design Directive, [DD-811](#) defines the criteria that are to be used when ADA requirements must be met. The DD-811 includes the ADA Exceptions Justification Report that has been developed to document technical infeasibility and requires approval by the ADA Board Chairman.

The WVDOT [revised standard detail addressing sidewalk ramps, PVT 7](#), continues to be updated to provide current guidance on standards for curb ramps and detectable warnings installation. The current PVT-7 was updated 10/22/2013. The PVT-7 has again been updated to reflect current ADA compliance expectations with new construction and is going through the publication review committee approval process.

The WVDOT has developed viewing options related to the WVDOT 2017 Tourism Map, to address the needs of citizens who may have [color blindness](#).

2.2.2 Methods of Work and Prioritization

The WVDOT continually evaluates policies and standards and makes revisions as appropriate.

[28 C.F.R Part 35.150\(d\)\(2\)](#) for existing facilities requires that the Transition Plan of public entities that have responsibility or authority over streets, roads, or walkways, shall include a schedule for providing curb ramps or other sloped areas where pedestrian walkways cross curbs, giving priority to walkways serving entities covered by the ADA, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

The WVDOT has developed a multifaceted approach to address ADA compliance within the public right-of-way. Below is a link to an interactive map of all active construction projects for the current calendar year.

[WVDOT's interactive map of statewide roadwork](#)

Method 1

ADA accessibility shall be a routine part of all design, development and construction projects. Curb ramps shall be assessed for current ADA compliance, and upgraded when out of compliance, as part of regularly scheduled resurfacing, alteration and new construction projects. As part of the 2020-2025 Statewide Transportation Improvement Program (STIP), curb ramp upgrades within the public right-of-way will continue to be scoped with proposed roadway alteration programs.

The current list of scheduled resurfacing projects and grant projects within the public right-of-way can be found here [Statewide Transportation Improvement Program \(STIP\)](#).

Method 2

The Accelerated Curb Ramp Program has been identified by the WVDOT as a method to address targeted curb ramp upgrades. Design-Build and Bid-Build projects will address ADA compliance obligations unrelated to the construction program and accelerate WVDOT program delivery. The WVDOT will allocate approximately 15 million dollars annually to be distributed among the 10 Districts over a ten-year period starting with the 2020 – 2021 fiscal budget. The ten-year period is based upon the existing curb ramp point location data as identified in the data base.

Method 3

The WVDOT Planning Division, Grant Administration Unit, manages federal transportation grant programs that provide funding for a variety of non-traditional projects, all of which are linked directly or indirectly to various modes of transportation and encompassed within the Transportation Alternatives Program (TAP). Grant awards have been disbursed for competitively selected projects to include sidewalk construction, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, corridors for trails for pedestrians, and other related non-traditional transportation infrastructure. The TAP applications are scored across evaluation factors to include: Accessibility & Mobility, Quality of Life/Health, Safety & Security, Economic Vitality, Partnership/Regional Significance, and Economically Distressed status. On an annual basis, approximately 80 eligible applications are scored by a committee with backgrounds in ADA accessibility, grant administration, environmental evaluation, landscape architecture, and engineering. Project applications that rank highest will be recommended for a TAP grant award. The majority of awards are for projects that improve accessibility.

Method 4

The WVDOT Traffic Division regularly upgrades traffic signals at intersections along the identified roadway system. In the course of traffic signal upgrades, the Traffic Division upgrades or newly constructs pedestrian access points about the intersection via curb ramp installation which promotes access to operable parts, primarily newly installed Accessible Pedestrian Signal (APS) systems.

Method 5

A citizen can file a request addressing any accommodation related issue via the established ADA complaint process.

2.3 WVDOT ADA ROLES AND RESPONSIBILITIES

2.3.1 WVDOT ADA Coordinator

The ADA Policy Board has been formed to oversee the long-term ADA program functions of the WVDOT. The WVDOT ADA Coordinator has been designated by the

Secretary of the WVDOT as the person responsible for coordinating the efforts of the Board and tracking all items reviewed by the Board.

Contact Information for the WVDOT ADA Coordinator is as follows:

Raymond C. Patrick
West Virginia Department of Transportation
Civil Rights Compliance Division
Building 5, Room 618
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305
Telephone: (304) 414-6887

The WVDOT ADA Coordinator maintains certification from the University of Missouri ADA Coordinators' Training Certification Program. The WVDOT ADA Coordinator provides multiple agency wide ADA training opportunities focusing on design, construction, and policy levels.

Regular ADA training is conducted at the WVDOH District Headquarters level. Ongoing training opportunities are presented during preconstruction conferences and in the field during active construction projects while meeting with WVDOH employees, contractors, and designers while conducting predesign, post design, preconstruction, in construction, and final construction field assessments.

Additional ADA training opportunities are provided during annual WVDOT conferences which include: WVDOH Materials and Construction, WVDOH Maintenance, WVDOH Utilities Conference, WVDOH Planning, WVDOH Designers, WVDOH Human Resources, WVDOT Management, and WV Public Transit meetings. ADA education and training will be ongoing as agency staff fluctuates and Federal and State regulations advance.

ADA training is available and provided to our stakeholders, as needed, to address their obligations to ensure ADA compliance with all WVDOT projects. ADA training has been provided to include:

1. Annual training during the West Virginia State University Summer Transportation Institute
2. ADA compliance training with American Electric Power (AEP)
3. State Metropolitan Planning Organization (MPO) quarterly meetings.
4. Charleston Parkinson's Support Group in Charleston, West Virginia.
5. West Virginia Building Code Officials Association.
6. SASHTO

In addition, ADA training opportunities have been coordinated through the [West Virginia Local Technical Assistance Program \(LTAP\)](#) on a case by case basis as requested by individual WVDOH District Headquarters.

2.3.2 WVDOT ADA District Coordinators and Reviewers

In order to assist the WVDOT ADA Coordinator a network of WVDOH District/Division ADA Coordinators and ADA Reviewers has been designated for each of the 10 WVDOH District Headquarters and applicable WVDOH Central Office Divisions to facilitate Title II ADA compliance at the District/Division level. Within a District, ADA Coordinators typically originate from the Design discipline while ADA Reviewers originate from the Construction discipline. The structure of the ADA Coordinators and ADA Reviewers network is designed to ensure consistency of ADA compliance and oversight throughout the agency.

2.4 ADA COMPLAINT PROCEDURE

The ADA and the Rehabilitation Act prohibit a public entity from discriminating against qualified persons with disabilities in access to facilities and services that the public entity provides.

For the WVDOT and organizations that receive funds from the WVDOT, the services, facilities or activities are any that are related to the planning, design, construction, maintenance, and operation of transportation systems. This can include but is not limited to:

- Public buildings
- Meeting rooms
- Roadways
- Contiguous walkways
- Intersections
- Welcome centers
- Rest areas
- Public transportation
- Enhancement projects
- Related literature and other communication pertaining to any of these facilities or services.

Any person who believes that they have been the subject of disability related discrimination may electronically file a complaint at <https://dotforms.wv.gov/ada/> or contact the WVDOT ADA Coordinator for assistance.

2.5 NOTICE TO THE PUBLIC

In accordance with the requirements of Title II of the ADA, the WVDOT will not discriminate against qualified individuals with disabilities on the basis of a disability in its services, programs, facilities or activities.

- **Employment:** The WVDOT does not discriminate on the basis of a disability in its hiring or employment practices and complies with all regulations promulgated by the United States Equal Employment Opportunity Commission under Title I of the ADA.
- **Effective Communication:** The WVDOT will, upon request, provide reasonable accommodations including auxiliary aids and services leading to effective communication necessary to afford qualified persons with disabilities an equal opportunity to participate in our services, programs, and activities.

- **Modifications to Policies and Procedures:** The WVDOT will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to participate in provided programs, services, and activities.
- **Citizen Participation:** The WVDOT will, upon request, provide reasonable accommodations including auxiliary aids and services necessary to afford an individual with a disability an equal opportunity to participate in our services, programs, and activities. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service or activity of the WVDOT, should contact the WVDOT as soon as possible but no later than 48 hours before the scheduled event.
- **Public Comment:** The public may comment and give input on matters related to ADA compliance at any time by contacting the WVDOT ADA Coordinator. The WVDOT has obtained feedback from the West Virginia State ADA Office and local MPO's as we continue to update our Transition Plan. As a means to facilitate ongoing public outreach and obtain public comment, the WVDOT will contact stakeholders, state government organizations and local organizations listed on the West Virginia State ADA Office web site, and request they review and offer comment on the current ADA Transition Plan.
- **Complaints:** Complaints that a program, service or activity of the WVDOT is not accessible to persons with disabilities should be directed to the WVDOT ADA Coordinator or filed via the electronic ADA complaint procedure.

3 COMMUNICATIONS

In accordance with the Title II of the ADA, the WVDOT is continually assessing its communication efforts. As deficiencies are found, the WVDOT will provide persons who are blind, visually impaired or have hearing difficulty with effective access to information stored

electronically by the WVDOT. An internal ADA Website Compliance Coordinator has been established to assess and ensure that WVDOT program information, information technology systems, and communication via the World Wide Web is accessible to all citizens utilizing various modalities such as desk/lap top computers, tablets, and cellular phones. The WVDOT takes appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities, and companions of persons with disabilities, are effective in providing information content in a discernible manner.

4 Progress made

Staff: The Civil Rights Compliance Division – under the supervision of the WVDOT ADA Coordinator is hiring a Data Collection specialist to assess and collect data within the WVDOH Right of Way identifying ADA compliance. They will collect visual data to update existing virtual location data within WVDOH ADA Curb Ramp and Barriers data set.

Paving and Traffic (alteration projects): ADA upgrades within the public right-of-way continue to be scoped with proposed roadway alteration programs since 2012. The resultant visual data from these upgrades will be collected and categorized to update existing virtual location data within WVDOH ADA Curb Ramp and Barriers data set by the Data Collection specialist.

Design-Build Projects: The Accelerated Curb Ramp Program utilizing the Design-Build construction process was developed and conducted over a two-year construction period during 2018-2019. Forty-one (41) construction projects were awarded addressing 4489 curb ramp locations in 37 West Virginia Counties incorporating 68 cities/towns covering 32 County Seats. The 4489 curb ramp locations that were upgraded constituted 21.4% of the WVDOH identified Curb Ramp and Barriers data set. The Design-Build projects addressed ADA compliance obligations unrelated to the resurfacing program and provide an accelerated methodology to address WVDOT ADA compliance program delivery.

Transportation Alternatives Grant Projects (TAP): Grant awards have been disbursed for competitively selected projects. Approximately 80 TAP applications are scored annually. Approximately 25 are recommended for a TAP grant award. The majority of awards are for projects that improve accessibility. The visual data from the ADA upgrades resultant to the TAP grant award will be collected and categorized to update existing virtual location data within WVDOH ADA Curb Ramp and Barriers data set by the Data Collection specialist.

5 FUTURE ACTIONS ANTICIPATED

Ongoing:

- ADA Transition Plan will be updated regularly.
- The WVDOT ADA Coordinator will maintain certification through the University of Missouri ADA Coordinators' Training Certification Program.
- The WVDOT will continue to educate local public agencies on their ADA obligation to conduct a Self-Evaluation and develop a Transition Plan, and partner with the (LTAP) to provide relevant training opportunities. As deemed appropriate by the Board, ADA compliance training and/or guidance will be made available as requested by WVDOT stakeholders. Additional ADA training has been provided to stakeholders via outreach opportunities.

In progress:

- Statewide curb ramp point location data and crosswalk verification.
- Pedestrian push button locations will be identified.
- The curb ramp point location data gathered from the WVDOH Planning Division will be made available to the WVDOH District ADA Coordinators and ADA Reviewers to assist in developing plans for installation and upgrades of needed accessibility features within the public right-of-way in conjunction with new construction or alteration projects.
- The WVDOT will contact stakeholders, including state organizations listed on the West Virginia State ADA office web site. The WVDOT will request they review and offer comment on the revised ADA Transition Plan.
- The WVDOT plans to initiate the architectural barrier review of 102 public buildings by December 2021.
- The Accelerated Curb Ramp Program to address ongoing curb ramp upgrades will continue with an annual financial commitment of approximately 15 million dollars annually to be distributed among the 10 Districts over a ten-year period starting with the 2020 – 2021 fiscal budget. The ten-year period is based upon the existing curb ramp point location data as identified in the data base.

Annual:

- The WVDOT ADA Coordinator will conduct annual training with the designated WVDOH District/Division ADA Coordinators and ADA Reviewers and their subordinates.
- The ADA Transition Plan is a living document and will be reviewed annually and updated and revised regularly until all accessibility barriers within the WVDOT have been removed to the greatest extent feasible.

To be effective, the ADA Transition Plan needs to be utilized in the planning of all projects and funding decisions and will require ongoing review for compliance and validity. Ongoing updates to the ADA Transition Plan will also result in monitoring compliance and the effectiveness of priorities set in the ADA Transition Plan itself. The ADA Transition Plan will be viewed as a “living document” and updated regularly to reflect changes in real world conditions and to address any access barriers to the greatest extent feasible.