



# Indiana Department of Transportation (INDOT) ADA Transition Plan

June 1

# 2018

*This document defines and describes how INDOT implements federal and state accessibility requirements into its policies and programs. Members of the public, including the disability community, are invited to engage INDOT and participate in its nondiscrimination & accessibility efforts. This ADA Transition plan serves as a resource and a starting point for discussion and public participation and involvement. We look forward to doing business for you, with you. Welcome!*

**ONE INDOT:  
*Access for All***

– Erin L. Hall, INDOT’s ADA Coordinator & Executive Director of Interagency Relations & Compliance [accessforall@indot.in.gov](mailto:accessforall@indot.in.gov) (317) 234-6142



[www.in.gov/indot](http://www.in.gov/indot)



## INDIANA DEPARTMENT OF TRANSPORTATION

### COMMISSIONER'S FORWARD

June 1, 2018

It is my pleasure as Commissioner of the Indiana Department of Transportation to adopt, implement and present this updated ADA Transition Plan. This Transition Plan represents and encompasses INDOT's ongoing and continuous effort on behalf of our fully-committed staff to serve all People of the State of Indiana.

As Commissioner of INDOT it is my duty and responsibility to ensure that INDOT remains fully committed to ensuring and promoting accessibility and non-discrimination in all of our program areas and facilities. This updated ADA Transition Plan demonstrates and effectuates our commitment to ongoing barrier removal, compliance monitoring, public participation, and program evaluation that provide a means to the most inclusive future of transportation.

Our agency's efforts to improve accessibility are a part of our statewide "Next Level Indiana" efforts to build a better future and promote access for all in public transportation. Your voice is vital to these efforts. Public comments may be submitted at any time to [accessforall@indot.in.gov](mailto:accessforall@indot.in.gov) or by calling our customer service hotline at 855-463-6848. Thank you in advance for your participation! Your voice matters.

Sincerely,

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Joe McGuiness, Commissioner of the Indiana Department of Transportation

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## WHAT IS AN ADA TRANSITION PLAN?

An ADA Transition Plan begins with a self-evaluation. INDOT and other agencies required to develop Transition Plans must first conduct a thorough self-evaluation of all facilities, programs and policies to identify barriers to accessibility and potential areas where discrimination on the basis of a disability might occur.

Once an agency completes its initial self-evaluation, it can develop its ADA Transition Plan.

## WHY IS INDOT REQUIRED TO HAVE AN ADA TRANSITION PLAN?

Title II of the Americans with Disabilities Act of 1990 applies to all State and local governments, departments, agencies, special purpose districts and other instrumentalities of State or local governments (referred to as “public entities”) and all of their programs, services and facilities.

The scope of Title II is broad and requires these entities to also ensure that all subrecipients of their funding and any contractors or assignees who operate their programs do not discriminate on the basis of disability. Public entities that have 50 or more employees are required to have a grievance procedure, an ADA Coordinator and an ADA Transition Plan. For more information please see [https://www.ada.gov/regs2010/titleII\\_2010/title\\_ii\\_primer.html](https://www.ada.gov/regs2010/titleII_2010/title_ii_primer.html)

In addition, INDOT is subject to federal oversight of its compliance with the ADA and other nondiscrimination requirements. The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) both conduct compliance review of INDOT’s programs and make recommendations that INDOT evaluates in good faith and considers and / or implements as it continuously works to improve its agency-wide nondiscrimination plans and programs.

## Where does Title II “fit” into the ADA?

The Americans with Disabilities Act (ADA) became law in 1990 and prohibits discrimination on the basis of disability in public programs and facilities. The ADA is broad in scope and is divided into five sections called “Titles”, each addressing a different area of public activity.

These five titles are:

**Title I** – Title I covers employment opportunities and requires reasonable accommodations by employers for persons with disabilities. Title I also defines what is a disability under the ADA.

**Title II** - Title II covers public services and applies to state and local governments. It requires all public entities to make their programs, services and activities accessible to individuals with disabilities and outlines what is required to identify and plan for the removal of barriers to access.

**Title III** – Title III covers public accommodations and public services provided by private entities. It requires private businesses to make reasonable modifications to their programs and facilities and to take steps necessary to communicate with customers who may have a disability.

**Title IV** – Title IV covers telecommunications and requires telephone and internet companies to provide services that accommodate persons with disabilities.

**Title V** – Title V contains miscellaneous provisions that apply to the ADA as a whole and cover how it is to integrate with other laws and protect individuals who are seeking accommodations from retaliation.

## How INDOT Develops its ADA Transition Plan:

1. INDOT identifies an ADA Coordinator and dedicated additional staff resources as necessary.
2. INDOT develops and publishes its Section 504 nondiscrimination policy.
3. INDOT developed and continues to implement its ADA grievance procedure, investigating complaints and removing barriers identified by the public.
4. INDOT identified its design standards and moved to implement the Pedestrian Right-of-way Accessibility Guidelines (the "PROWAG") to improve accessibility of its pedestrian facilities. INDOT formed an internal Technical Advisory Committee, the TAC, to continuously ensure compliance with these standards.
5. INDOT identifies its programs and facilities that would require self-evaluation.
6. INDOT establishes internal and external working groups to engage the public and evaluate its programs and facilities.
7. INDOT completed its initial self-evaluation in 2015 and created a database for its inventory. INDOT continually updates its inventory and is implementing a live database in 2018 that will improve management of its ADA asset inventory.
8. INDOT conducts public meetings and engages the public in its programmatic decisions. INDOT receives public comments on an ongoing basis and considers them as it works to improve statewide access to its programs and facilities and those of local governments funded by INDOT.
9. INDOT developed a prioritization schedule and annual budget to target its ADA asset inventory and to ensure barriers to accessibility are targeted and removed.
10. INDOT updates its transition plan every three (3) years in collaboration with its internal program directors, its Community Access Working Group ("CAWG") and members of the public, and the Federal Highway Administration ("FHWA").

## Transition Plan Requirements (for State Transportation Agencies):

### Our Transition Plan:

- **Must be officially adopted and implemented:** A Transition Plan is effectuated, adopted and implemented by the highest-ranking official of the agency or by board resolution or ordinance adoption;
- **Identifies the ADA Coordinator:** the Coordinator is identified by name and provides contact information;
- **Includes a Nondiscrimination Policy:** A Transition Plan adopts and implements the agency's Section 504 nondiscrimination policy and provides written assurance to FHWA that it will operate in compliance with Section 504 and the ADA;
- **Includes a complaint process:** A Transition Plan adopts and implements the agency's grievance (complaint) procedure;
- **Engages the Public:** A Transition Plan identifies how ongoing public involvement is obtained to ensure public participation in transportation decision making, especially as it relates to the ADA Transition Plan and provides a means for public comment and a disclosure of how and where its Transition Plan is made available for public inspection;
- **Identifies related policies:** An Transition Plan incorporates or identifies all other related agency policies;
- **Identifies the barriers to accessibility discovered during the agency's self-evaluation:** A Transition Plan includes and incorporates the agency's self-evaluation / ADA asset inventory;
- **Identifies the agency's prioritization schedule and budget for barrier removal;**
- **Incorporates Sustainability of the program:** A Transition Plan discusses how the agency sustains these efforts by updating the self-evaluation and prioritization list with opportunity for public participation;
- **Identifies standards used:** A Transition Plan identifies design standards, policies and procedures designed to ensure that new programs and facilities will be constructed in an accessible manner and how the agency determines whether or not compliance is technically infeasible;
- **Discusses Maintenance procedures:** A Transition Plan identifies how the agency maintains existing programs and facilities to ensure that they remain accessible
- **Discusses Auxiliary Aids and services provided:** A Transition Plan identifies how the agency provides auxiliary aids upon request to persons with disabilities and how the public are notified of these services. Includes how hearing impaired individuals may contact the agency;
- **Discusses how the agency monitors others:** A Transition Plan identifies subrecipient monitoring practices, where applicable, to ensure agency funding will not support the construction of inaccessible facilities or the development of inaccessible programs.
- **Discusses Progress made:** A Transition Plan includes discussions of accomplishments and remedial actions taken by the agency to eliminate the effects of discrimination resulting from prior practices and to promote improvement of accessibility throughout its programs and practices.

## HOW CAN YOU PARTICIPATE IN OUR PLAN?

This section identifies how you can use this plan and how you can provide input and participate in our programs.

### How can you use this plan?

You can use this plan to:

- Understand how INDOT ensures its own programs are accessible and how it identifies and removes barriers to accessibility;
- Identify how INDOT monitors the accessibility of the local programs and projects it funds;
- Learn how INDOT ensures everyone it does business with is in compliance with nondiscrimination requirements; and
- Determine how you can get involved by providing input to our programs and procedures or file a grievance.

Public participation in our transition plan is welcome, encouraged and required. We cannot have an effective transition plan without your participation! It is our goal to effectively identify barriers to accessibility across our state and develop the most informed prioritization schedule feasible. We are certain that your experience is the most valuable information that can support our efforts and we are continuously improving the means and frequency of opportunities available for you to engage us in our efforts to improve accessibility.

### What are some opportunities for public involvement?

- CAWG & Public Meetings (see [page 31-2](#) for more info)

Our Community Advisory Working Group (CAWG) meets at least six times per year across the state of Indiana to discuss ways INDOT can improve its engagement of the public around accessibility topics. In addition, each meeting provides a forum for members of the public and the disability community to inform INDOT of program needs, inquire about program practices and / or address specific project related accessibility concerns.

- Ongoing Public Comments ([see page 31-2](#))

Public Comments may be made at any time by submitting an inquiry or comment to INDOT's ADA Coordinator, Erin Hall, by email at [accessforall@indot.in.gov](mailto:accessforall@indot.in.gov) or by mail if posted to Erin Hall, INDOT Legal Division, Indiana Government Center North Building Room N 730, 100 N. Senate Avenue, Indianapolis, IN 46204. Public comments may also be made by calling our customer service hotline at 855-INDOT4U (855-463-6848).

- Request installation of an Accessible Pedestrian Signal (“APS”)

Anyone can request the installation of an APS on behalf of a person with a disability at an intersection controlled by INDOT. ([see Appendices for APS Request form and INDOT's APS Policy](#))

- File an ADA Grievance ([see page 21 for more info](#))

It may seem odd but filing a grievance is something INDOT wants you to do if you notice an INDOT program or facility currently has a barrier to accessibility. Buildings, roads and pedestrian facilities have been constructed across Indiana over many years and by different

design standards. Even newly constructed facilities require maintenance and may become damaged by vehicles and climate or other unforeseen challenges. Filing an ADA Grievance will ensure INDOT is able to promptly address and manage barriers to accessibility that might otherwise result in discrimination. A description of our grievance procedure and how to file a complaint can be [found beginning on page 21.](#)

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## OVERVIEW OF OUR TRANSITION PLAN

The following is an outline of what you will find in our transition plan. Following these sections there is an Appendix that provides supporting documents and data and is references in these sections. If you are looking for something specific but cannot find it, please don't hesitate to contact us at [accessforall@indot.in.gov](mailto:accessforall@indot.in.gov) or by contacting our ADA Coordinator, Erin Hall, at (317) 234-6142.

### About INDOT:

Understanding how INDOT operates is key to understanding our jurisdiction and responsibilities when it comes to addressing accessibility needs and requirements. In this section you will learn about:

- INDOT's Mission and Agency Objectives
- INDOT's Responsibilities
- INDOT's Organization & Leadership

### Accessibility & Nondiscrimination Policies in Practice at INDOT:

This section covers INDOT's policies and personnel dedicated to achieving our nondiscrimination and accessibility objectives. The discussions in this section include:

- INDOT's Nondiscrimination Policies
- Other Related Accessibility Policies
- INDOT's Design Standards
- INDOT's Technical Advisory Committee
- Subrecipient Compliance Monitoring
- INDOT's Grievance Procedure

### INDOT's Self-Evaluation & Remediation Schedule

This section covers the programs and facilities evaluated by INDOT on a continual basis and identifies current budgets, schedules and proposed solutions to address barriers identified. This portion of INDOT's Transition Plan is kept "live" and will be updated on a continual basis as projects are schedules, completed and as public input is received and solutions developed and put into practice. Between 2015 and this 2018 update to our Transition Plan, INDOT has been developing and is now implementing a comprehensive ADA Asset Management Program. This program is defined and described below.

- History of INDOT's Self-Evaluation
- What is the implementation planning model of compliance and why does INDOT use it?
- Self-evaluation of INDOT's Programs
  - Public Involvement
  - Programs (including multimodal transportation & transit oversight)
- Self-evaluation of INDOT's facilities – INDOT's ADA Asset Management Program-**NEW!**
  - Public Involvement
  - Facilities
    - Buildings

- Pedestrian Facilities
  - Other
- Budget & Prioritization Schedule for Barrier Removal

## ABOUT INDOT:

### INDOT's Mission & Objectives

INDOT's Mission:

INDOT will plan, build, maintain and operate a superior transportation system enhancing safety, mobility and economic growth.

INDOT's Values:

- **Respect:** Treat others fairly. Value the individual skills, experience, diversity and contributions of fellow employees.
- **Teamwork:** Share information and seek input from co-workers and agency partners to achieve goals.
- **Accountability:** Take personal responsibility for actions and decisions.
- **Excellence:** Provide exceptional customer service through individual initiative, innovation and delivery of quality results.

2018 Agency Goals - Taking INDOT to the Next Level

#### **Deliver great service**

- Be efficient and effective - manage taxpayer dollars entrusted to INDOT to deliver the highest possible quality product at the best value
- Innovate from start to finish by embracing new technology and process improvement technique
- Improve customer satisfaction
  - Focus on safety, asset condition, and mobility
  - Be responsive, transparent and consistently meet needs and exceed expectation
  - Partner with purpose – identify, communicate and collaborate with stakeholders – internal and external

#### **Enhance Indiana's economic competitiveness and quality of life**

- Deliver a transportation system that supports the safe, efficient movement of people and goods
- Increase access to multiple modes of transportation to better connect people with opportunity and better connect Indiana with the world
  - Create a state highway system that supports and compliments air, water, rail, and public transit

#### **Execute a 20-year road and bridge plan**

- Go beyond taking care of what we have – improve what we have
  - Steady, consistent improvement in bridge and pavement quality
- Make our transportation system safer – for those who build it and those who use it

- Focus on engineering, education, enforcement and emergency response
- Reduce crashes, serious injuries and deaths
- Strive for zero work zone incidents
- Increase mobility
  - Invest in projects to ease congestion, eliminate delays, foster economic growth

### **Develop INDOT's 21st Century Workforce**

- Increase bench strength
  - Develop and retain current employees through mentoring and individual development
  - Hire efficiently and effectively
  - Put the right person, with the right tools, in the right job – every time
- Align employees around department's mission
  - Clearly communicate INDOT's mission and vision to ALL employees
  - Make sure work efforts align with strategic goals and objectives
  - Embrace performance measures and accountability

INDOT's Accessibility & Nondiscrimination Mission:

To provide access for all and equal opportunity to participate in and benefit from INDOT programs and projects.

INDOT's Accessibility Goals:

INDOT's accessibility program management works to:

- Ensure that our programs meet or exceed the requirements for accessibility and nondiscrimination;
- Effectively remove barriers to program and facility access;
- Engage in meaningful public involvement and to improve participation by traditionally underserved populations including persons with disabilities in transportation planning;
- Lead by example as we work to improve accessibility in our statewide transportation infrastructure.

INDOT will have achieved its accessibility goals for the 2018-2020 Transition plan program cycle when it:

- Has completed a full reevaluation cycle of all of its programs and building facilities and continues to update its pedestrian facility database every time an asset is touched or evaluated in the field.
- Has remediated all assets identified through its prioritization process targeted for remediation within this plan cycle period and has spent at least the target amount identified as its ADA annual budget fund on ADA specific projects.
- Has received, evaluated and implemented sufficient reasonable public feedback on its ADA transition plan and ADA program to make substantial and meaningful improvements to its ADA program in at least three areas that would not have been altered or modified without having obtained public input or suggestions.

- Has mentored and or provided technical assistance to at least three peer level agencies and has improved its overall technical assistance outreach by at least 10%.
- Has increased the overall number of public-facing ADA resources on its website by at least 10%.
- Has resolved and / or addressed all ADA grievances filed during the ADA Transition plan program cycle.

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## INDOT's Jurisdiction & Responsibilities

### Overview of INDOT's Jurisdiction & Responsibilities

#### *INDOT Builds and Maintains Pedestrian Facilities alongside our Roads & Highways:*

INDOT has many responsibilities. Chief among these is the maintenance of all interstates, U.S. routes and state roads that are in or cross through the state, including overpasses and ramps on these roadways. Construction and maintenance of these roads is also INDOT's responsibility along with traffic control devices along these roadways, including signs and traffic signals.

INDOT only maintains county, city or town roads or sidewalks in special circumstances. Local cities, counties and towns are primarily responsible for all other roadways that are not a state road, interstate or U.S. route and have their own ADA Transition Plans for facilities they own, maintain and control. (see IC 8-23-6-3(d)).

INDOT does monitor Indiana Communities for compliance with state and federal regulations when those communities receive state and / or federal funding through INDOT to construct local improvements.

INDOT maintains 11,100 centerline and 28,500 total lane miles. The Indiana Toll Road is 157 miles in length. Indiana currently has 14 interstate highways; they are: I-64, I-65, I-69, I-70, I-74, I-80, I-90, I-94, I-164, I-265, I-275, I-465, I-469 and I-865. INDOT is responsible for maintaining nearly 6,000 bridges across the state.

#### *INDOT Engages in Multimodal Transportation:*

Additionally, INDOT also regulates approximately 4,500 rail miles, more than 110 public access airports and more than 560 private access airports across the state. INDOT's transit division provides funding to and oversees transit operations across the state where the transit operator is not a direct recipient of funding from the FTA. INDOT is currently collaborating with the Metropolitan Planning Organizations (MPOs) to evaluate the accessibility of bus stops operated by Indiana Municipalities and plans to provide joint technical assistance to communities as they address barriers to accessibility related to transit. In addition, INDOT provides funding across the state for local projects that develop, construct and improve bicycle and pedestrian trails, especially along former railroad routes.

#### *INDOT designs, installs & maintains Traffic Signals including Pedestrian Signals:*

INDOT's responsibilities also include the implementation of construction projects that include overseeing of the building of new roadways, resurfacing of others and the preservation of existing highways. Additionally, INDOT's responsibilities include construction and maintenance of traffic control devices along these roadways, including signs and traffic signals as well as participating in rails-to-trails projects and an increasing variety of innovative transportation projects.

#### *INDOT is one of the largest State Agencies and is an Equal Opportunity Employer:*

INDOT has six district offices across the state that handle day-to-day operations such as construction and detours, traffic signal operations, permits and maintenance operations

(for example, mowing, filling potholes and plowing snow) along with various other responsibilities. These districts are further divided into sub-districts and units. INDOT employs approximately 3,600 employees (not counting seasonal employees and interns) across the state with a plan to reach 3,800 by the end of 2018, making it one of the state's largest agencies. INDOT is proud to be an equal opportunity employer. In addition, many companies have the opportunity to do business with INDOT by providing construction-related and / or professional services to INDOT on a contractual basis.

#### *INDOT's Jurisdiction to Ensure and Promote Accessibility*

INDOT is responsible as a public State agency that receives state and federal funding to ensure that all of its programs and facilities are accessible. It is INDOT's responsibility to continually self-evaluate its programs to identify barriers and allocate funding and resources to remove those barriers. INDOT provides training to all of its staff sufficient to ensure that issues can be identified and appropriately addressed. INDOT maintains an internal "liaison network" to more quickly address accessibility concerns. INDOT maintains this transition plan and has a grievance procedure to ensure that members of the public can participate in identifying and prioritizing barriers for removal to improve the accessibility of transportation in the State of Indiana.

INDOT is also responsible for overseeing its subrecipient's compliance with accessibility and nondiscrimination requirements. Our subrecipient monitoring program is outlined in our Title VI Implementation plan which can be found here <http://www.in.gov/indot/3584.htm>. INDOT ensures that communities, as well as Rural and Metropolitan Planning Organizations, seeking state or federal funding for local projects are in compliance with the accessibility requirements. While INDOT monitors communities to ensure they have an ADA Coordinator and an ADA Transition Plan, INDOT's jurisdiction to address barrier removal at the local level is typically limited to the scope of the projects funding through INDOT. The responsibility of the local ADA Coordinator, however, is broader and extends to the scope of the communities' operations and programs.

## INDOT's Organization & Leadership

### Organization of the Agency

INDOT is led by our **Commissioner** who is appointed by the Governor. Joe McGuiness is INDOT's current Commissioner.

INDOT's **Executive Leadership Team** reports directly to the Commissioner and oversees all of INDOT's Operations. INDOT's Executive Leadership Team is comprised of:

- **INDOT's Chief of Staff** – Oversees strategic communications, legislative communications & innovative project delivery.
- **INDOT's Chief Legal Counsel** – Oversees Regulatory Compliance, Prequalification, Legal services, Litigation, Contract Administration, and Permitting.
- **INDOT's Chief Financial Officer** – Oversees agency and project finance, internal affairs, and business information technology services.
- **Deputy Commissioner of Construction & Materials Management**
- **Deputy Commissioner of Engineering & Asset Management** – Oversees INDOT's planning & scoping operations which include environmental services, as well as design (bridges & pavement), technical services and traffic engineering, multimodal programs, pavement and materials.
- **Deputy Commissioner of Operations** – Oversees the District Deputy Commissioners in Seymour, Vincennes, Greenfield, Crawfordsville, LaPorte & Ft. Wayne, project delivery, facilities, safety and maintenance.
- **Deputy Commissioner of Capital Program Management** – Oversees research, innovative project delivery, Local Programs, Tolling, utility & rail, and INDOT's capital programs.
- **INDOT's Director of Talent Management** – Oversees leadership training and employee development. Manages INDOT University, our platform to provide training and certification to internal and external recipients.
- **INDOT's Director of Human Resources** – This dedicated embedded employee of State Personnel serves as a member of INDOT's executive team ensuring INDOT is able to meet its staffing requirements with Next Level Indiana team members dedicated to INDOT's mission, vision & values.

## Organization of Accessibility Program Management

INDOT's Commissioner commissions the agency's ADA Coordinator and delegates the authority to ensure the agency's compliance to the Coordinator. The ADA Coordinator has direct access to the Commissioner as needed.

INDOT's Executive Director of Interagency Relations & Compliance currently serves as the agency's ADA Coordinator. This role reports directly to INDOT's Chief Counsel (who reports directly to the Commissioner). INDOT's Chief Counsel is Alison Grand ([agrand@indot.in.gov](mailto:agrand@indot.in.gov)) (317) 671-3361.

**INDOT's ADA Coordinator is:**

Erin L. Hall, JD

Executive Director of Interagency Relations & Compliance

[accessforall@indot.in.gov](mailto:accessforall@indot.in.gov)

(317) 234-6142

INDOT's ADA Coordinator is responsible for:

- Developing and implementing the agency's ADA Transition Plan;
- Reviewing and recommended changes and additions to agency policies related to accessibility and nondiscrimination;
- Investigating complaints related to accessibility and allegations of discrimination on the basis of disability;
- Participating in design, construction, maintenance and inspection of INDOT facilities as a member of the ADA Technical Advisory Committee (see below) to ensure accessibility standards are met;
- Disseminating information to the public and obtaining public participation related to accessibility needs; and
- Monitoring subrecipients for compliance with the ADA and other accessibility requirements.

INDOT's Compliance does not stop with our ADA Coordinator. The following roles and operations at INDOT support the ADA Program:

- INDOT's Regulatory Compliance Program Director
- INDOT's Title VI Program Manager
- INDOT's Public Involvement Manager
- INDOT's ADA Technical Advisory Committee
- INDOT Technical Services Directors

*INDOT's Title VI Program Manager*

INDOT's Title VI Program Manager ensures that INDOT, as well as its subrecipients are in compliance with the nondiscrimination requirement of Title VI. Subrecipients cannot discriminate on the basis of disability. Therefore, INDOT's Title VI Program Manager provides a vital role in ensuring our Indiana Communities are in compliance with the ADA by monitoring to ensure they have ADA Transition plans and providing technical assistance to support their good faith efforts to comply.

INDOT's Title VI Program Manager is Kimberly Radcliff: [Accessforall@indot.in.gov](mailto:Accessforall@indot.in.gov) (317) 232-0924

*INDOT's Public Involvement Manager*

INDOT's Office of Public Involvement ensures that INDOT obtains meaningful public participation. This must include efforts to ensure that traditionally underserved populations, including persons with a disability are provided opportunities to engage INDOT around transportation planning. This office is also responsible for providing auxiliary services and meeting language needs with appropriate language services.

INDOT's Public Involvement Manager is Rickie Clark: [reclark@indot.in.gov](mailto:reclark@indot.in.gov) (317) 232-6601

*INDOT's ADA Technical Advisory Committee*

INDOT's ADA Technical Advisory Committee, the "TAC", is responsible for reviewing standards, policy and issues related to the design of accessible facilities. This committee is comprised of staff from INDOT's legal, design, and standards divisions. The TAC receives inquiries that may be as simple as a question from a project manager, designer or consultant. Inquiries may extend to the scope and nature of the improvement required at a particular location. The TAC also receives and responds to technical infeasibility requests when it is deemed likely that achieving full compliance with accessibility requirements at a given location is not possible and will not ever become possible (such as with the acquisition of additional right of way, etc.).

The TAC's role is to review inquiries and infeasibility requests and to determine whether or not the proposed design meets the requirements of infeasibility and if the proposed design will result in the construction of a facility that is as compliant as it can be. The TAC considers information obtained from the public via the ADA coordinator and field conditions when it recommends design changes. In addition, the TAC conducts field inspections and audits to ensure what is actually construction meets the protocols established in the design plan sheets. The TAC also assists the ADA Coordinator with grievances and complaint investigations.

In 2017 the TAC adopted its charter, which may be found in the Appendices.

*INDOT Technical Services:*

Between 2015-2018 INDOT has conducted internal reviews and held ongoing discussions related to ownership of our ADA asset inventory and management of the ADA budget and prioritization of projects to remove barriers. In 2017 INDOT began migrating its ADA inventory over to its “Roads & Highways” system where the asset database can be more readily integrated into GPS, made available for in-the-field updates and more easily integrated into project scoping, planning and development. INDOT also determined in 2017 that the Technical Services Division of INDOT would become the “owner” of the ADA assets. The ADA Coordinator will work closely with the Statewide Technical Services Director to ensure that business processes are established in a manner consistent with the agency’s ADA program requirements and goals.

INDOT’s Statewide Technical Services Director is:  
Louis Feagans [Lfeagans@indot.in.gov](mailto:Lfeagans@indot.in.gov) (317)232-5332

In addition, each INDOT district has a Technical Services Director who will be responsible for managing that district’s ADA inventory and developing projects based upon local needs. These individuals serve as the ADA Program Liaisons for each INDOT district and will participate in addressing grievance as required.

Greenfield District	Jason Taylor	<a href="mailto:jtaylor@indot.in.gov">jtaylor@indot.in.gov</a>
Seymour District	Rebecca Gross	<a href="mailto:rgross@indot.in.gov">rgross@indot.in.gov</a>
Vincennes District	Katrina Pinkstaff	<a href="mailto:kpinkstaff@indot.in.gov">kpinkstaff@indot.in.gov</a>
Crawfordsville District	Bill Smith	<a href="mailto:bsmith@indot.in.gov">bsmith@indot.in.gov</a>
LaPorte District	Sarah Ford	<a href="mailto:sford@indot.in.gov">sford@indot.in.gov</a>
Ft. Wayne District	Jason Kaiser	<a href="mailto:jkaiser@indot.in.gov">jkaiser@indot.in.gov</a>

## ACCESSIBILITY & NONDISCRIMINATION POLICIES IN PRACTICE AT INDOT:

This section covers INDOT's policies and personnel dedicated to achieving our nondiscrimination and accessibility objectives. The discussions in this section include:

### INDOT's Nondiscrimination Policies

Overview of INDOT's Nondiscrimination Policies:

INDOT maintains its Section 504 Nondiscrimination Policy as part of its ADA Transition Plan, but INDOT's Title VI Nondiscrimination Policies (included in its Title VI Implementation) also pertain to and relate to accessibility requirements. For example, INDOT's duty to monitor subrecipients of federal funds stems from its Title VI Assurances of Nondiscrimination. As part of its subrecipient monitoring practices, INDOT ensures subrecipients do not discriminate on the basis of disability, and, if applicable maintain their own ADA Transition Plan. These subrecipient monitoring practices are not described in detail in this ADA Transition Plan, but may instead be found as part of our Title VI Implementation Plan here

<http://www.in.gov/indot/3584.htm> . Specific progress related to these practices is outlined in our annual goals and accomplishments report found at the same website address.

INDOT's Section 504 Nondiscrimination Policy:

INDOT maintains and publishes its Notice of Nondiscrimination under the ADA and Section 504. INDOT's ADA Coordinator updates the Notice of Nondiscrimination under the ADA and Section 504 as necessary to reflect a change in the Commissioner and/or ADA Coordinator.

INDOT's notice of nondiscrimination is available on its website at [http://www.in.gov/indot/files/DBE\\_NondiscriminationNotice.pdf](http://www.in.gov/indot/files/DBE_NondiscriminationNotice.pdf) .

Furthermore, INDOT provides a copy of its notice of nondiscrimination to all new hires. INDOT also distributes copies of the nondiscrimination notice at recruitment fairs, to scholarship applicants and to anyone who requests a copy.



## INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N925  
Indianapolis, Indiana 46204

PHONE: (317) 232-3019  
FAX: (317) 232-1499

**Eric Holcomb, Governor**  
**Joe McGuinness,**  
**Commissioner**

### NOTICE OF NONDISCRIMINATION UNDER THE AMERICANS WITH DISABILITIES ACT AND SECTION 504 OF THE REHABILITATION ACT OF 1973

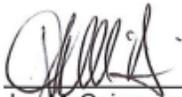
Pursuant to Title II of the Americans with Disabilities Act as amended (ADA) of 1990 (42 U.S.C. §§12101 et seq.) and Section 504 of the Rehabilitation Act of 1973, as amended (Section 504) (29 U.S.C. §794) and implementing regulations found in 28 CFR 35 and 49 CFR 27, the Indiana Department of Transportation (INDOT) does not discriminate against qualified individuals with disabilities in its policies, or in the admission of, access to, treatment of or employment in its programs, services or activities.

Upon request, INDOT will use its best efforts to provide appropriate auxiliary aids and services to facilitate effective communication for qualified persons with disabilities so that they have an equal opportunity to obtain the same result, to gain the same benefit or to reach the same level of achievement as provided to others. These efforts may include providing qualified sign language interpreters, Brailled documents, and other products and services to make communications accessible to individuals with speech, hearing and vision impairments.

Upon request, INDOT will make reasonable modifications to policies and programs to ensure that qualified individuals with disabilities have an equal opportunity to enjoy its programs and activities. INDOT is not required to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

INDOT will not place a surcharge on qualified individuals with disabilities to cover the cost of providing auxiliary aids, services or reasonable modifications of policies.

Inquires or complaints regarding Section 504 or the ADA should be directed to Barbara Malone, Title VI/ADA Program Director, , 100 N. Senate N925, Indianapolis, IN 46204, (317)232-3019, [bamalone@indot.in.gov](mailto:bamalone@indot.in.gov). INDOT will investigate all complaints in accordance with INDOT's Title VI compliant process, which is also used for ADA complaints, and promptly take any remedial action deemed necessary to provide an equitable resolution to overcome the effects of a substantiated violation.

  
\_\_\_\_\_  
Joe McGuinness  
INDOT Commissioner

9/1/2017  
\_\_\_\_\_  
Date

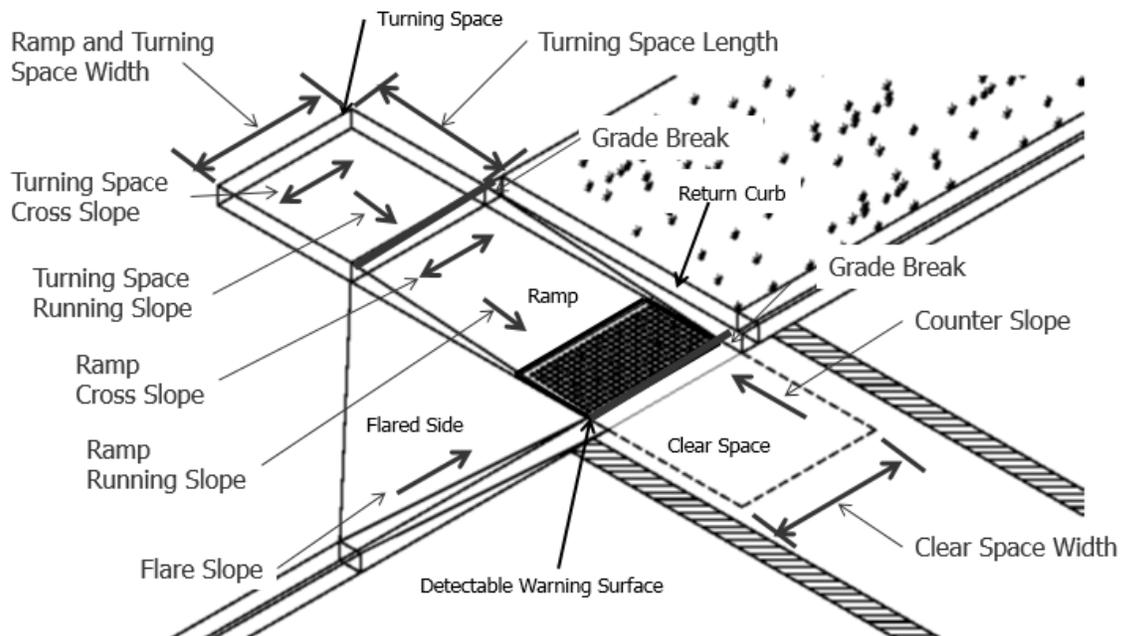
## Other Related Accessibility Policies, Practices & Procedures

### *INDOT's Design Standards*

INDOT has adopted and implemented design standards consistent with the Public Right-of-way Accessibility Guidelines (PROWAG). Even though the PROWAG has not become law, it has been adopted by and recommended as “best practices” by the Federal Highway Administration (FHWA). INDOT, upon recommendation of the FHWA has developed and implemented these standards which can be found here <http://www.in.gov/dot/div/contracts/standards/>.

While INDOT's field evaluations commenced prior to the adoption of these design standards, they were conducted with the PROWAG in mind. Data collected and entered into INDOT's asset management system was collected and entered as an actual measurement (inches, degrees of slope etc.) allowing INDOT to readily determine whether these assets are compliant with the PROWAG-based design standards or not.

Overview of Curb Ramp Elements addressed in the design standards:



Turning Space must be level with both running and cross slopes  $< 2\%$ , meaning these slopes should be designed at  $< 1.5\%$  to ensure a compliance result.

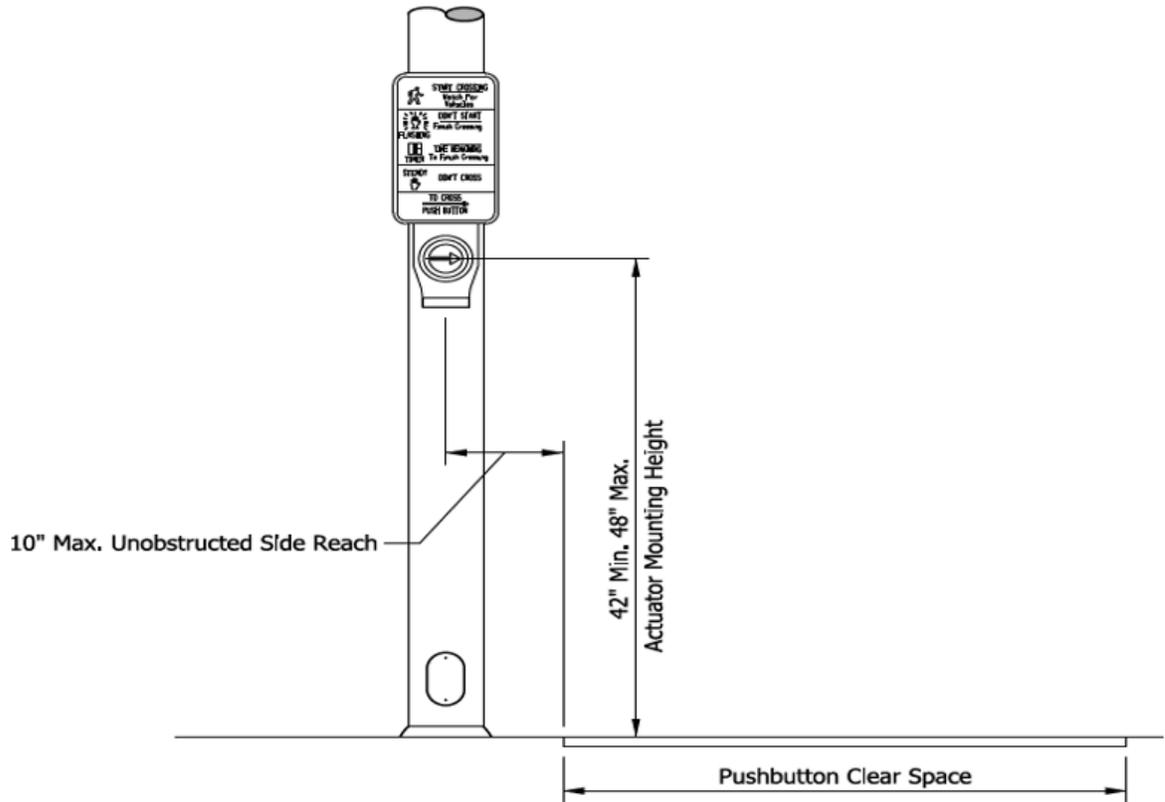
Running slope of a ramp may not exceed  $8.33\%$  and should be designed to less than  $8\%$  to ensure a compliant result.

Return Curbs cannot be utilized where there is a paved / walkable surface adjacent to the ramp that would result in a tripping hazard being created by the returned curb. Instead a flared side, not to exceed  $10\%$  flare slope, should be installed.

Detectable warnings are placed at the base of a ramp to indicate to a pedestrian that they are about to cross a street. These warnings must be  $24''$  ( $2'$ ) deep in the direction of travel and must cover the entire ramp, unless brick pavers are used, in which case there may be a  $2''$  border on either side of the detectable warnings to secure the bricks.

The counter slope must not create a tipping or tripping hazard to a pedestrian entering or exiting the street and the transition to the street at the curb must not exceed a 1/2" "lip" if beveled or 1/4" if not beveled.

Overview of Pedestrian Signal Placement:



The Pushbutton clear space should be a 4' x 4' level area where the running slope and cross slopes do not exceed 2%. Slopes of all level areas should be designed to <1.5% to ensure a compliance result. If the signal is not an APS signal, it must still have a 2" button and comply with all button reach and mounting height requirements.

## Subrecipient Compliance Monitoring

INDOT monitors subrecipients of federal funds and state funds / grant recipients for compliance with accessibility requirements. The requirements vary depending on the recipient's organizational type and structure and the size of the organization. For ALL recipients / subrecipients of state and federal funds, INDOT includes nondiscrimination and accessibility compliance language in the contract with these agencies and organizations. The first level of compliance is always certification. If the recipient is a contractor or consultant, certification begins during the prequalification process to be able to do business with INDOT. If the recipient is a local public agency (LPA) as many cities and towns are, or a local metropolitan planning organization (MPO), Rural Planning Organization (RPO), or a transit, airport or other transportation authority, certification is part of the application for funding.

Once any recipient / subrecipient of funds is awarded a grant or a project, the contract language requires the organization to comply with the accessibility requirements and gives INDOT the ability to monitor that recipient's compliance with these requirements. INDOT's monitoring processes are described in detail in our Title VI Implementation Plan and specific actions and activities are described in our annual Goals & Accomplishments Report. Both of these documents can be found at <http://www.in.gov/indot/3584.htm>.

Indiana Communities and Transportation Authorities:

For Indiana Communities (LPAS), Metropolitan Planning Organizations ("MPOs"), Rural Planning Organizations ("RPOs"), and Transportation Authorities, INDOT monitors the following to determine compliance with the ADA:

- Whether the agency / organization has and maintains an ADA Transition Plan, if required;
- Who the current ADA Coordinator is and whether they are identified by the agency;
- Training the organization has received and training it provides its staff;
- The grievance procedures maintained and grievances received by the agency / organization;
- Standards used to ensure accessible programs and designs;
- Nondiscrimination & accessibility policies maintained by the organization;
- How the organization / agency monitors its own subrecipients to ensure accessible programs and facilities result;
- Specific to the funding provided by INDOT for the projects requested, whether or not the resulting program or facility is fully accessible as required by law.

Contractors / Consultants:

For Contractors, Consultants and other recipients INDOT monitors:

- Whether the entity complies with the contractual accessibility requirements;
- Has the entity received sufficient training / certifications to ensure their work product results in the required level of accessible outcomes (programs / facilities); and
- Does the entity have a history of complaints or noncompliant work products?

## INDOT's Grievance Procedure

### Internal Complaints of Discrimination:

Internally, at INDOT, any employee grievances related to accessibility, including requests for reasonable accommodation are handled by INDOT's human resources division. These grievances are confidential and INDOT's ADA Coordinator does not participate in these requests, grievances or accommodations. It is INDOT's policy and practices to comply with all employer accessibility requirements and to ensure discrimination does not result in our employment practices from the hiring process through the span of an employee's tenure within our organization. Indiana's State Personnel Department provides Human Resources services to INDOT and ensures that complaints of discrimination are investigated and requests for reasonable accommodation are processed properly. A Diagram of the Reasonable Accommodation Process for INDOT employees is included in the **Appendices**.

### External Complaints of Discrimination:

INDOT's external complaint form and a brief description of the complaint procedures are available online at <http://www.in.gov/indot/3583.htm> and are available in print from our ADA Coordinator and INDOT offices. This form is also available in Spanish and German and a document translation request form is available to ensure that it can be provided in alternative formats (such as braille) and languages as needed. Copies of this complaint form (in English and in Spanish) are attached to this Transition Plan and included in the **Appendices**.

INDOT's complaint process includes due process protections for the complainant and the respondent and provides for prompt and equitable resolution of complaints. Grievances received and processed by INDOT include not only those raising issues with INDOT's own assets and programs, but also those of its subrecipients. INDOT may receive and process accessibility complaints related to Cities, Towns, and other organizations who receive funds from INDOT. This can be particularly helpful if the complainant has attempted to resolve an issue at the local level and was unable to resolve an issue surrounding discrimination.

Under its complaint policy, INDOT will promptly investigate all properly submitted complaints of alleged discrimination, including discrimination on the basis of disability. INDOT will also attempt to resolve such complaints and take corrective action upon a finding of a substantiated complaint. INDOT will submit its final investigative report to FHWA within sixty (60) calendar days of receiving a complaint.

### *Complaint Investigations & Jurisdiction:*

INDOT's ADA Coordinator will make a determination to accept, reject or refer to the appropriate federal/state agency a complaint within ten (10) calendar days of its receipt. INDOT will determine whether the person or entity purportedly engaged in the alleged discriminatory act is an INDOT sub-recipient (the legal entity to which a sub-award is made and which is accountable to INDOT for the use of the funds provided). If the complaint does not specifically

mention that the alleged discriminatory actor is an INDOT sub-recipient, INDOT may presume so in deciding whether to accept the complaint for further processing.

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 and its related statutes, regulations and directives, the ADA and Section 504. These procedures do not affect the right of the Complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant. In other words, while INDOT can often remedy barrier removal and ensure policies are put into place to prevent prospective discrimination, INDOT's jurisdiction is limited and is not likely to result in punitive action. The complainant is not prevented from pursuing other legal remedies as a result of filing a complaint with INDOT; it is important for complainants to understand what INDOT can and cannot do to remedy issues related to grievances.

INDOT will make every effort to facilitate a voluntary early resolution of complaints at the lowest level possible. The option of informal resolution may be used at any stage of the process. The ADA Coordinator will make every effort to pursue a resolution of the complaint.

The ADA Coordinator will refer all Title VI discrimination complaints against INDOT to the FHWA or the appropriate Federal agency but will investigate grievances related to barrier removal as it is best situated to provide efficient resolution of these grievances.

#### Who May File a Complaint?

Any person who believes that he or she has been excluded from participation in, denied the benefits of or otherwise subjected to discrimination under any INDOT service, program or activity whether federally funded or not, based on their race, color, national origin, sex, age, gender identity, sexual orientation, disability, religion, ancestry, income status or Limited English Proficiency may file a complaint. A complaint may also be filed by a representative on behalf of such a person.

#### Timeliness of Complaints:

For a complaint against INDOT or a sub-recipient to be considered timely, it must be filed within one hundred eighty (180) calendar days after the alleged discriminatory incident has occurred. INDOT may waive the 180-day time limit for good cause at its discretion. For a grievance related to a barrier to accessibility on an INDOT controlled or funded facility, this time limit does not apply.

The file date of a complaint is the date the complaint is received by INDOT. INDOT will determine on a case-by-case basis whether to waive the time limit for good cause. Good cause for a waiver shall include the following instances:

- *Lack of Knowledge:*

INDOT may waive the time limit in situations where the person on whose behalf the complaint was filed did not know of and could not have reasonably known of the violation during the 180-day time limit. The complaint must be filed within sixty calendar (60) days of complainant becoming knowledgeable of the violation.

- *Incapacitation:*

INDOT may also waive the time limit in situations where the person on whose behalf the complaint was filed was incapacitated because of illness or other incapacitating circumstances. The Complainant must provide independent documentation of the purported incapacitation. The complaint must be filed within sixty (60) calendar days after the period of incapacity ends.

#### Location/Availability of Complaint Forms:

INDOT will make complaint forms available online via the INDOT website at <http://www.in.gov/indot/3583.htm>, in all district offices and as part of this ADA Transition Plan in the Appendices. Additionally, persons may contact the ADA Coordinator to request a copy of the complaint form via email, facsimile or United States mail. INDOT's ADA Coordinator shall provide copies of its complaint form in alternative formats upon request.

#### How to File a Complaint:

A complainant may file his or her complaint by mail, facsimile, or email. Any person with a disability may request to file his or her complaint using an alternative format. INDOT will acknowledge complaints received by fax or email and will process them once INDOT establishes the identity of the Complainant. Complainants must mail (or email) a signed complaint form to INDOT to begin the complaint process. INDOT does not require a Complainant to use the INDOT complaint form for submitting his or her complaint but does require the complaint be signed and in writing, and will assist persons with a disability as necessary in meeting this request.

*Title VI complaints should be directed to INDOT's ADA Coordinator:*

Erin L. Hall  
Attorney, Executive Director or Interagency Relations & Compliance  
INDOT Legal Division  
Indiana Department of Transportation  
100 N. Senate, Room N730  
Indianapolis, IN 46204  
[accessforall@indot.in.gov](mailto:accessforall@indot.in.gov)  
(317) 234-6142 (Phone)

### Elements of a Complete Complaint:

A complete complaint is:

- Written and signed;
- Filed within one hundred eighty (180) calendar days of the alleged discriminatory act(s) (if applicable)
- and includes at minimum the following information:
  - The full name and address of the Complainant;
  - The full name and address of the Respondent (the individual, agency, department or program that allegedly discriminated against Complainant); and
  - A description of the alleged discriminatory act(s) that violated Title VI (i.e., an act of intentional discrimination or one that has the effect of discriminating on the basis of race, color, national origin, sex, age or disability) and the date of occurrence.

Keep in mind that it is important that the complaint “tell the story” and provide sufficient facts and data organized chronologically with specific persons, dates, and locations in order for INDOT to efficiently and effectively address and investigate the issues.

The following items are not acceptable as a complete complaint unless accompanied by a signed cover letter that specifically requests INDOT take action concerning the allegations:

- Anonymous complaints;
- Inquiries seeking advice or information;
- Newspaper articles;
- Courtesy copies of court pleadings;
- Courtesy copies of complaints addressed to other agencies;
- Courtesy copies of internal grievances; or
- Oral complaints.

The ADA Coordinator shall notify the Complainant in writing if his or her complaint is incomplete and allot fifteen (15) calendar days for the Complainant to respond and provide the supplemental information needed to complete the complaint.

### Processing Complaints:

The ADA Coordinator will process all accessibility complaints. Title VI Nondiscrimination Complaints may be referred to the Title VI Coordinator for investigation. INDOT’s current Title VI Coordinator is:

Kimberly Radcliff  
Title VI Program Manager, INDOT  
(317) 232-0924  
accessforall@indot.in.gov

The ADA Coordinator is responsible for:

- **Maintaining a log** of all accessibility / ADA complaints;

- **Acknowledging receipt** of the complaint;
- **Providing written notice** of the complaint to the FHWA within ten (10) working days of receipt of the complaint.
  - Forwarding a notice to the Respondent or INDOT district informing them of the allegations,
  - Requesting a position statement and providing the name and telephone number of the INDOT staff person assigned to investigate the complaint.
- **Informing the Complainant** that he or she has a right: (1) to have a witness or representative present during any interviews and (2) to submit any documentation he or she perceives as relevant to proving the allegations contained in the complaint.
- **Providing the Respondent an opportunity to respond** to all aspects of the Complainant's allegations (if applicable).
- **Managing the investigation** by determining whether witnesses will be contacted and interviewed and what type of site visit is required.
- **Concluding the investigation** by contacting the Complainant at the conclusion of the investigation to provide the Complainant an opportunity to provide additional information before INDOT prepares its final report to be forwarded to FHWA (for complaints of discrimination that cannot be remedied by merely reconstructing a facility.)
- **Writing a confidential investigative report (IR)** and forwarding a copy of the same to the FHWA.
- **Drafting the Letter of Findings (LOF)** to be provided to all parties within sixty (60) calendar days of the date the complaint was received unless impracticable or infeasible in which case a letter clearly describing why an LOF is impracticable or infeasible at this time and providing a detailed status report will be provided until such time as the LOF can be completed.

**The Investigative Report (IR):**

The IR shall not be disclosed to the Complainant or Respondent. The IR shall include the following:

- A summary of the written complaint;
- A brief description of the standard of review/methodology used to investigate the complaint;
- Summarized statements taken from witnesses (if applicable) or summarized finding by the TAC;
- Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
- A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated; and
- Proposed corrective action for substantiated cases.

**The Letter of Findings (LOF):**

The LOF will include the following:

- A summary of the written complaint;
- A brief description of the standard of review/methodology used to investigate the complaint;
- Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
- A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated; and
- Proposed corrective action for substantiated cases.

**Corrective Action:**

If INDOT recommends corrective action, INDOT's ADA Coordinator will give the Respondent or INDOT District / Program Area thirty (30) calendar days to inform INDOT of the actions to be taken to achieve compliance. The ADA Coordinator, with the assistance of the TAC, shall monitor the Respondent / Divisions corrective action to ensure compliance.

Corrective action may include actions that the Respondent will complete at a future date after the initial thirty (30) days and must include the projected time in which the Respondent will complete the action.

If the Respondent has not consented to or defined the recommended corrective action within the 30-day period allowed, INDOT may find the Respondent to be in noncompliance with accessibility requirements. Noncompliance of a respondent not corrected by informal means as described above may be subject to sanctions as per 49 CFR § 21.13.

**Pre-Investigative/Administrative Closures:**

It is the general practice of INDOT to investigate all complaints that are complete; however, INDOT may administratively close a complaint at its discretion. The types of complaints that may be administratively closed and will not be investigated include the following:

- Complaints that fail to state a claim or provide any substantial or coherent claim;
- Complaints that are outside the scope of INDOT's Title VI jurisdiction;
- Untimely complaints filed more than one hundred eighty (180) calendar days after the alleged discriminatory acts;
- Complaints voluntarily withdrawn by the Complainant;
- Complaints in which the investigation has been impaired by INDOT's inability to locate the Complainant;
- Complaints that are a continuation of a pattern of previously filed complaints involving the same or similar allegations against the same recipient or other recipients that repeatedly have been found factually or legally unsubstantiated by INDOT;
- Complaints containing the same allegations and issues that have been addressed in a recently closed complaint or compliance review conducted by INDOT;
- Complaints containing allegations that are foreclosed by previous decisions by the Federal courts, Department of Justice or INDOT policy determinations;
- Complaints filed for complainants or parties who refuse to cooperate with the investigation and whose lack of cooperation substantially impairs the completion of the

investigation. In such circumstances, the Complainant should be contacted and advised that their lack of cooperation has hindered the investigation. Furthermore, the Complainant must be advised that continued failure to cooperate may result in an administrative closure of the complaint without further investigation;

- Complaints transferred to another agency for investigation; and
- Complaints where the death of a Complainant makes it impossible to investigate the allegations fully or the death of the Complainant forecloses the possibility of relief because the complaint involved potential relief solely for the Complainant or injured party.

INDOT shall notify Complainants in writing when a determination is made to close a case administratively without further investigation. The notification shall include an explanation of the basis for the administrative closure.

**Confidentiality:**

In accordance with DOT Order 1000.12, which can be found online at <https://www.fhwa.dot.gov/civilrights/programs/order100012.cfm> ; the Complainant's identity shall be kept confidential except to the extent necessary for carrying out an investigation. If an investigator determines that it is necessary to disclose the Complainant's identity to the Respondent or a third party, the investigator must first obtain Complainant's written permission. Furthermore, Complainant's written consent must be obtained before a copy of the complaint may be provided to Respondent or a third party.

**Records:**

INDOT's ADA Coordinator shall confidentially maintain all records of an investigation for three years from the date of last action on a complaint. Records are maintained in an electronic format.

**Additional Filing Options:**

A complaint may also be filed with one of the following offices:

Indianapolis District EEOC Office  
101 West Ohio Street, Ste 1900  
Indianapolis, IN 46204  
Phone: (800) 669-4000  
Fax: (317) 226-7953  
TTY: 1 (800) 669-6820

Indiana Civil Rights Commission  
100 N. Senate Ave., Room N103  
Indianapolis, IN 46204  
Toll Free: 1 (800) 628-2909  
Phone: (317) 232-2600  
Fax: (317) 232-6560  
Hearing Impaired: 1 (800) 743-3336

Federal Highway Administration  
Indiana Division  
Kenneth Woodruff  
Civil Rights Program Manager  
Kenneth.woodruff@dot.gov  
575 N. Pennsylvania St., Room 254  
Indianapolis, IN 46204  
Phone: (317)226-0522

DRAFT

## INDOT'S SELF-EVALUATION & REMEDIATION SCHEDULE

This section covers the programs and facilities evaluated by INDOT on an ongoing basis and identifies current budgets, schedules and proposed solutions to address barriers identified. This portion of INDOT's Transition Plan is kept "live" and will be updated on a continual basis as projects are scheduled, completed and as public input is received and solutions developed and put into practice. Annual reports will be produced and included in the appendices of this plan, as well as posted on the website. Between 2015 and this 2018 update to our Transition Plan, INDOT has been developing and is now implementing a comprehensive ADA Asset Management Program. This program is defined and described below.

### History of INDOT's Self-Evaluation

#### INDOT's Self-inventory

INDOT completed the field evaluations of its public rights-of-way in January 2013. These were entered into our Work Management System, (WMS) in 2014 with errata and invalid data cleaned up and new construction data entered by early 2015. INDOT is now migrating these assets into its Roads & Highways Assets database which will permit live, in the field data entry, updates and reporting.

#### Development of a GIS layer for INDOT ADA assets

A Geographic Information System, "GIS" layer was initially created to help fix the location information related to the assets, but the ADA Coordinator quickly recognized the utility of having this layer available to compare to current and future projects and to be able to see areas either not reflected in the data or areas with a high density of ADA assets in need of improvement. The new Roads & Highways database will be integrated into GIS to provide real-time updates to data points in every quadrant of INDOT-controlled intersections.

#### Development of a Weighted ADA Asset Database and Derivative Prioritization Schedules.

The weighted asset database was developed with public input and is a tool that indicates intersections in most need of improvement which also provides a cost estimate for those improvements and assist INDOT in scoping, planning, budgeting, and constructing ADA compliant assets. This database is a "living database" which is constantly being updated as needed and on both ends as assets are identified (added to the list) and improved (removed from the list).

From this database INDOT produces its Roadway ADA Asset Improvement schedule (which includes an estimated timeframe and cost for **all** Roadway Assets needing improvement over the next 20 years), Prioritized Project Schedule (which includes more detail about current and upcoming projects, but only include the next few years' worth of projects) in compliance with Title 28 CFR 35.150(d). These schedules are incorporated into INDOT's transition plan and are included in the **Appendices**.

Assets identified in the prioritization schedule as part of an existing project will be addressed when the project is constructed. Assets identified as part of a group of assets targeted for improvement during a particular year are assets each District has identified for improvement as standalone ADA projects. The scope of these projects will be further defined once these areas are inspected and surveyed, and the

projects are scoped and developed. As such, the District intends to begin addressing them during the year indicated but factors such as environmental requirements and real estate acquisition may cause the resulting project to not be constructed immediately. Such factors are part of the required processes for INDOT to conduct business and standard business practices will be followed.

Assets identified in the Roadway ADA Asset Improvement Schedule which are not already part of a current or developing project are assigned targeted start dates by the use of a budget forecasting model that considers the estimated cost of improvement of assets in the weighted database from top (most in need of improvement) to bottom (least in need of improvement) and the available annual budget and forecasts when those assets will be improved.

INDOT reserves the right to make adjustments to any and all of its asset improvement schedules based upon new information received, projects developed that may address assets sooner than anticipated, changes in the scope of existing projects, grievances, and other factors that INDOT believes should cause a change in the schedule. The underlying weighted asset database will be maintained to reflect the current state of INDOT's ADA asset inventory and the Prioritization Schedules will be updated with each Transition Plan update or as otherwise deemed necessary by the agency or its Program Manager.

In 2017, INDOT conducted six (6) CAWG meetings where projects which may include a pedestrian component or were being programmed as part of INDOT's ADA budget in each INDOT district were highlighted an opportunities to provide public input were provided. A summary of the public comments and input related to accessibility received since 2015 can be found beginning on [page 32](#).

#### Adoption of an annual ADA budget

INDOT committed in 2015 to spend a minimum of \$5,000,000.00 each year on ADA improvements with \$2,000,000.00 being used to create standalone ADA projects targeting the top tier of assets requiring improvement after considering proximity to public facilities such as school and hospitals, taking into account population considerations and determining whether or not it makes sense to group a certain number of geographically proximate locations to resolve economy of scale issues in improving ADA assets. This budget is based upon a twenty (20) year improvement scope for ADA assets. It is anticipated that during the first few years of operation, additional assets may be recognized and added to the database resulting in a bell curve increase in assets identified for improvement that should taper off after the first several transition plan reporting years.

#### Self-evaluation of INDOT's Programs

INDOT relies heavily on its Title VI Liaisons identified in our Title VI Implementation Plan and Annual Goals and Accomplishments Report to identify risks for discrimination in their program area. Each program area is evaluated on a quarterly basis for risks, which are then identified and made part of our annual report. A copy of the most recent plans can be found here <http://www.in.gov/indot/3584.htm>. In addition, starting in 2018 the Technical Services Directors will become the owners of the ADA asset inventory and project planning in their respective districts and will collaborate with INDOT's ADA Coordinator to develop remediation projects and to address complaints received.

## INDOT's ADA Asset Management Program

### Overview of INDOT's ADA Asset Inventory and Asset Management

INDOT's Asset inventory is now (As of March 2018) stored and reflected as a GIS layer. Tying our inventory to a map while retaining the granular details such as the precise measurement of a curb ramp slope and width provides INDOT the best opportunity to identify and address barriers to accessibility. It allows us to identify and evaluate needs and issues in real time and to evaluate the success of our barrier removal efforts over time. If there is a challenge related to a specific asset, making it technically infeasible to fully remedy the issue, all the information related to that determination can be stored and viewed by INDOT staff together with the asset itself. This transition plan cycle (2018-2021) will provide us with a basis of data that will help INDOT determine the overall effectiveness of its ADA program.

As a result of our 2015 transition plan, INDOT was able to identify barriers and prioritize them for removal / remediation during the 2015-2018 transition plan cycle. However, given the static nature of the WMS database in which they were housed (due to the cumbersome nature of updating the data) there was not a method for program and project planner to work from real-time reports to see progress and changes as they occurred. In addition, other asset information such as whether or not the Technical Advisory Committee had provided input was stored elsewhere and not able to be stored with the asset itself. While this provided a basis for INDOT to address barriers to accessibility in the short term (3 year plan cycle) it is a barrier to long range planning which requires up to date readily available asset information reports.

Now that the data has been migrated, INDOT is building out a range of business reports that will be useful to project managers, planners, compliance staff and the public. Samples of these reports will be incorporated into this transition plan as part of its appendices as they are developed.

### Budget & Prioritization Schedule for Barrier Removal

INDOT retains its 2 part budget model for this plan cycle and will be using reports generated from the improved database to determine over this plan cycle whether or not the budget is sufficient. INDOT's budget commits to spend at least 5 million dollars on remediating ADA assets, at least 2 million dollars as part of a dedicated ADA program fund and 3 million dollars (At least) of assets addressed as part of other regularly scheduled INDOT projects.

### District Level ADA Remediation

\$2,000,000.00 divided by six INDOT districts gives each district a \$333,333.00 annual ADA specific spending target. Additionally \$3,000,000 divided by six INDOT districts gives each district an additional \$500,000.00 ADA spending target as part of regularly scheduled projects. However, the budget is calculated as a whole to give the agency flexibility in adjusting the spending according to need and distributing the funds accordingly to each district. Other challenges such as acquiring right-of-way or expertise and utilities coordination may result in funds shifting between districts each year. Additionally some districts cover significant urban

areas, such as the LaPorte District, while others, like Vincennes may have fewer sidewalk intersections in its geographic area.

The spending indicated below includes actual pay items only and does not account for the significant additional amount INDOT would have spent designing these facilities to be accessible.

*Greenfield District*

*Seymour District*

This district spent a total of \$1,223,763 on ADA projects over a three year period, averaging \$407,921 per year. This district marginally exceeded the annual spending target for ADA specific projects and has not yet provided any additional ADA spending.

2015	Total Amount Spent	\$470,613
	ADA Specific Funds Spent	Total funds
	Additional Funds Spent	Not determined
2016	Total Amount Spent	\$310,305
	ADA Specific Funds Spent	Total funds
	Additional Funds Spent	Not determined
2017 -2018	Total Amount Spent	\$351,193
	ADA Specific Funds Spent	Total Funds
	Additional Funds Spent	Not determined

*Vincennes District*

This district spent a total of \$1,433,565 on ADA projects over a three year period, averaging \$477,855 per year. This district exceeded the annual spending target for ADA specific projects and has not yet provided any additional ADA spending.

2015	Total Amount Spent	\$341,270
	ADA Specific Funds Spent	Total funds
	Additional Funds Spent	Not determined
2016	Total Amount Spent	\$351,154
	ADA Specific Funds Spent	Total funds
	Additional Funds Spent	Not determined
2017	Total Amount Spent	\$741,141
	ADA Specific Funds Spent	Total Funds
	Additional Funds Spent	Not determined

The spending in the Vincennes District (above) reflects the following pedestrian improvements:

Qty of Improvement (Intersections)	Qty of Improvement (Curb Ramps)	Qty of Improvement (Sidewalks)	Qty of Improvement (Ped Signals)
87	286	266	13

*Crawfordsville District*

*LaPorte District-*

This district spent an average of \$670,858 per year on ADA specific projects.

This district spent an average of \$813,327 per year on ADA remediation as part of other scheduled projects.

This district greatly exceeded the annual spending target for ADA specific projects.

2015 Letting Year	Total Amount Spent	\$1,273,183
	ADA Specific Funds Spent	\$356,995
	Additional Funds Spent	\$916,188
2016 Letting Year	Total Amount Spent	\$753,315
	ADA Specific Funds Spent	\$282,838
	Additional Funds Spent	\$470,477
2017 Letting Year	Total Amount Spent	\$2,426,055
	ADA Specific Funds Spent	\$1,372,740
	Additional Funds Spent	\$1,053,315

*Fort Wayne District*

## Programmatic ADA Evaluation:

Several Program Areas are so central to our ADA Transition Plan that they are included here.

These program areas include:

- INDOT's Office of Public Involvement
- INDOT's Multimodal Division as it related to Airport, Rail & Transit accessibility issues
- INDOT Facilities
- INDOT's Technology Program Managers (which span several operational divisions)to include oversight and input related to accessibility of INDOT's Website, customer service center, and INDOT University.
- INDOT's ADA Asset Management Program (asset management, prioritization & project delivery)

Office Public Involvement 2018 Transition Plan Update:

INDOT recognizes that not all residents have internet access. INDOT is committed to placing print copies in all of its program offices and facilities and has made copies available during its public meetings and statewide outreach opportunities. Libraries where the plan has been placed in the past have indicated that the plan is not requested or viewed. INDOT will work with the SILC (Statewide Independent Living Commission) and the Governor's Council for People with Disabilities (GCPD) to determine other more effective places to provide in-person access to our ADA Transition Plan. As always, paper copies of this plan may be requested from INDOT by contacting the ADA Coordinator.

INDOT works closely with other state agencies including Family and Social Services Administration (FSSA) – Division of Disability and Rehabilitative Services (DDRS) to procure services for visually and hearing impaired persons. This partnership extends to the procurement of service providers such as Bosma Enterprises. The services provided by DDRS and service providers allow INDOT to provide stakeholder access to project information as well as enhancing opportunities to participate in the transportation decision-making process.

- In 2017 the INDOT Office of Public Involvement scheduled/held 32 public involvement events (public hearings, meetings, open houses) where ADA services were offered as part of the public notification process
- All 32 events were held at ADA accessible venues and of the 32 events, 18 events were staffed by an ADA service provider (an ASL signer)

Below is an example:

ADA statement that is included in public notices for meetings/hearings:

In accordance with the Americans with Disabilities Act, persons with disabilities requiring assistance and/or accommodation related to accessibility to project documents and participation at the public meeting venue, are encouraged to contact INDOT's Office of Public Involvement (317) 232-6601 [reclark@indot.in.gov](mailto:reclark@indot.in.gov). Persons representing an ADA population where services may be needed with respect to the participation of ADA stakeholders are encouraged to contact the Office of Public Involvement with regard to coordinating visual, audio and other enhancement services. We respectfully request advance notice should ADA related services be required. Furthermore, INDOT will send out press releases notifying the public of the

availability of its ADA Transition Plan for public inspection and comment. The Communications Department includes information regarding the availability of INDOT's ADA Transition Plan for public inspection and comment on INDOT social media websites.

#### *Interpreters & Translation*

The Communications Division addresses the needs of persons on a project specific basis. The Office of Communications coordinates with other agencies to identify people in the community who are able to provide translation and interpretation services. INDOT collaborates with FSSA to provide American Sign Language Interpreters, Communication Access Real-Time Translation, (CART) services, and other auxiliary services as required. INDOT contracts for braille translation of materials as necessary and as requested. The Office of Public Involvement handles these requests.

#### *Telecommunications*

INDOT does not currently provide TDD/TTY (TeleTYpewriter) phone services for its public services that use telephones; however, INDOT does provide TDD/TTY phone service for its employees who request a reasonable accommodation during their employment. INDOT provides dial in translation services any time there is a need for an interpreter.

#### *INDOT's Community Advisory Working Group:*

In June of 2012, INDOT chartered an external community-based statewide ADA Community Advisory Working Group (CAWG) composed of the Title VI/ADA Program Manager and individuals with disabilities, disability advocates and those who provide services to persons with disabilities.

INDOT chartered the CAWG with ten (10) inaugural members. INDOT selected its inaugural members from a pool of twenty (20) applicants who submitted letters of interest. INDOT made a good faith effort to ensure demographic diversity in the selection of working group members by selecting at least one member from each of the six (6) INDOT districts.

Under the charter, membership is open to any individual; however, INDOT strongly encourages individuals with disabilities, disability rights advocates and organizations that service individuals with disabilities to consider submitting a letter of interest.

In 2017, INDOT revised its charter with input from current members and increased the number of meetings from quarterly to at least six (6), one to be held in each district each year. The new charter can be found in the [Appendices](#).

#### **Duties of the CAWG:**

The duties of the CAWG include the following:

- Reviewing and providing specific input regarding INDOT's ADA Self-Evaluation and Transition Plan;
- Recommending means and methods for INDOT to increase the public involvement of persons with disabilities in transportation planning;

- Providing specific information, input and recommendations regarding community accessibility concerns as they relate to transportation projects and pedestrian facilities within INDOT’s jurisdiction; and
- Serving as a liaison between INDOT and the community.

The CAWG plays an important voluntary consultative role in helping INDOT comply with the ADA. INDOT will maintain ultimate authority and control over decisions regarding its ADA compliance efforts. The Charter determined how members shall be selected and appointments shall be made. While it is purely an advisory board, INDOT takes public input from board members and members of the public who attend as valuable and seeks to improve its programs based on the input it received.

Selected working group members serve for a term of two years and up to two consecutive terms. The CAWG meetings last approximately two (2) hours and are scheduled annually in each of INDOT’s six (6) districts. INDOT will coordinate and facilitate each meeting. Furthermore, to facilitate transparency and document its public involvement efforts, INDOT will follow Indiana’s Open Door Law and post program documents on its website for public inspection.

*Summary of Public Comments & Input: (Ongoing beginning winter 2018) –*

To date INDOT has not received any public comment forms. However, during INDOT’s Special Meeting of the CAWG on February 22, 2018, INDOT received the following comments from CAWG members and attendees:

Comment:	INDOT Action / Response:
This is one of the most accessible documents I have reviewed produced by a government agency. To ensure accessibility, consider posting this online in HTML and PDF formats.	INDOT agrees it will post the document in PDF, HTML and WORD formats online.
Include a broader discussion of the ADA, including the other Titles at the beginning of the document.	INDOT incorporated a broader discussion of the ADA and an overview of the other four titles at the beginning of this document.
Move the explanation of what a transition plan is, why there is on and how it should be used even earlier in the document	INDOT moved this content up front.
The content is easily readable and user friendly in plain language. Keep it that way.	INDOT is making readability and clarity a top priority in revising its transition plan.
Include a discussion of what the barriers and challenges were in each INDOT district.	This will be included in the final draft of this document.
Consider updating the self-evaluation annually, instead of every three years. The public needs and wants to know what INDOT is doing in a timely manner.	INDOT will produce an annual report as an appendix to this transition plan each year that includes this information.
Can we connect people to the ADA Coordinator’s association in this document?	Yes, INDOT will reference the association as a resource for local questions and engagement.
Could INDOT produce a flyer that gives an	Yes, INDOT will develop and make available a

overview to this plan and clearly communicates its purpose and function to the general public?	flyer to serve that purpose.
The complete streets policy and bicycle and pedestrian policies are missing from this plan.	INDOT is working to include that content in the final draft.
Be sure to keep the plan focused on internal change and show that change over time.	INDOT uses this plan to guide its decision making processes.
State, don't cite references to code or laws that are short enough to include the text.	INDOT now includes a general discussion of the requirements prior to the citation in this document.
Be sure to include more information about the TAC committee	The TAC committee policy and members will be included in the final draft.

INDOT thanks the individuals, advocates and organizations who have provided input and comments related to the development of its transition plan to date and encourages anyone interested to provide feedback as we continue to develop and revise our plan.

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Accessibility Training for INDOT Staff and Funds Recipients:

INDOT provides in person and online training opportunities to all of our new hires and updates its training of current employees every two (2) years. In 2016 and 2017 INDOT provided many live in person ADA technical training opportunities to our staff, consultants, and contractors. Training was provided during Purdue University's Road School both years, during construction conferences in each of the six (6) INDOT districts and at other times in each district concurrently with the basic training for all employees. INDOT is currently developing online training modules that will make this resource available on an ongoing basis. Feedback received during these training sessions has facilitated regular updates to the INDOT Design Manual and Standard Specifications to clarify the requirements to ensure accessible design.

INDOT also provides training to our subrecipients of federal funds. This training occurs live in each district, online on a monthly basis for contractors and consultants, and through our partners at Purdue, the Indiana ADA Coordinator's Association, and Accelerate Indiana Municipalities, (AIM.) INDOT has developed subrecipient technical assistance tools, templates and guides for each of our Indiana Communities to use as a starting point when addressing accessibility needs in each of their communities. INDOT also requires subrecipients to certify that their community has an ADA Coordinator who has received training when they submit an application for project funding and that they provide ADA training to staff in their community.

*Multimodal (Freight, Airports & Transit) 2018 Transition Plan Update:*

INDOT's Multimodal Division oversees INDOT's Freight, Airport and Transit operations. While most major metropolitan transit (such as INDYGO in Indianapolis) receive their funding directly from the Federal Transit Administration ("FTA"), INDOT does provide funds to certain fixed route and rural transit operators. In addition, INDOT ensures that existing pedestrian facilities which cross freight rail lines are maintained in an accessible manner and that those receiving regional airport funding through INDOT meet accessibility requirements.

In 2015 INDOT focused on its pedestrian facility inventory. As we move into the 2018-2020 Transition Plan cycle, INDOT is conducting a self-evaluation of these program areas.

Information in this section serves to inform the public of the scope of INDOT's jurisdiction as it relates to multimodal program, specifically transit programs and to provide a foundation of knowledge related to INDOT's programs and transit funding. INDOT will continue to seek public engagement through our CAWG meetings and community partners to identify barriers in these program areas with a goal of ensuring our program is accessible from the experience of the program beneficiaries (riders & end users).

**INDOT's Complete Streets Guideline and Policy:**

This INDOT policy is not a funding program but a policy designed to guide planners, designers and engineers as they implement complete streets initiatives. These strategies should be identified as early as possible in the planning process and definitely not later than stage 1 design. The main objective of our complete streets policy is to design and build roads that safely and comfortably accommodate all users of the roadway, including motorists, cyclists, pedestrians, transit and freight, benefiting people of all ages and abilities and meeting the goals and requirements of the ADA. A Copy of this policy can be found online at

[http://www.in.gov/indot/files/AM\\_CompleteStreetsGuideline.pdf](http://www.in.gov/indot/files/AM_CompleteStreetsGuideline.pdf). and is included in the **appendices** of this plan.

#### **Compliance Reviews of Transit Providers:**

INDOT developed “The Indiana DOT Compliance Review Field Guide” which serves as a basis for determining ongoing compliance of transit providers with all regulatory requirements, including the ADA. If a provider is a direct funds recipients via FTA. The FTA conducts triennial compliance reviews of each provider directly and INDOT reviews these to determine the provider’s level of compliance. Our field guide provides:

#### ***Requirements:***

Under Department of Transportation (DOT) Americans with Disabilities Act of 1990 (ADA) regulations, public and private transportation providers are required to operate services in a way that does not discriminate against persons with disabilities. The regulations include general nondiscrimination provisions that apply to all types of agencies and services. There are also provisions that apply just to certain types of agencies and services. For example, public fixed route operators are required to make on-board stop announcements to keep riders oriented to their location. They are also required to have a system in place at stops served by multiple routes that allows riders to identify the bus they need to catch, or drivers to identify which riders are waiting to catch their bus.

Public fixed route operators also must provide ADA complementary paratransit service to individuals who cannot use the fixed route due to their disability. Commuter bus service is exempted from this requirement. As defined in 49 CFR part 37.3, commuter bus service is “characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other service, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.” Similarly, intercity bus service may resemble commuter bus service in that there is no attempt to comprehensively cover a service area, it has a limited route structure, limited origins and destinations, and limited purposes of travel, and therefore, the obligation to provide ADA complementary paratransit may not apply. However, other relevant requirements of 49 CFR parts 27, 37, and 38 do apply to intercity bus service.

Section 5311 recipients that provide financial support for intercity bus in the form of vouchers or operating subsidies, are addressed by 49 CFR part 37.37(a), which states that a private entity does not become subject to requirements applicable to a public entity simply “because it receives an operating subsidy from, is regulated by, or is granted a franchise or permit to operate by a public entity.” However, when a public entity enters into a contract or other arrangement or relationship (including grants or subgrants) with a private entity to operate fixed route or demand-responsive service, the public entity shall ensure that the ADA obligations are met, including any ADA complementary paratransit requirements (49 CFR part 37.23). The nature of the arrangement between the public entity and the private intercity operator would determine whether 49 CFR part 37.37 or 49 CFR part 37.23 applies.

No entity shall discriminate against an individual with a disability in connection with the provision of transportation service. Except for very specific circumstances, service policies cannot keep individuals with disabilities from benefiting equally from the transportation services provided. Possible exceptions are if providing the service would fundamentally change the nature of the service provided (e.g., exclusive ride versus shared-ride), or if providing the service would present a “direct threat” (i.e., a safety threat to *others*, not the person with the disability). Examine all public information related to the transportation services provided, including Rider Guides, operating policies and procedures, service bulletins, employee training materials, etc. for any policies or requirements that could discriminate against or limit service to persons with disabilities.

### *Denying Service*

Policies can only call for a denial of service if the situation or behavior is illegal, violent, or seriously disruptive. To be illegal, there must be an established law prohibiting the behavior, not just a common standard of appropriate behavior. Seriously disruptive behaviors must be significant, not just annoying or unpleasant.

### *Prohibited policies that likely result in discrimination:*

Following are examples of common policies that discriminate against persons with disabilities. INDOT investigates during compliance reviews to determine whether discrimination is likely to result from the following:

- Does the subrecipient have policies that impose any special charges for individuals with disabilities, including wheelchair users?
- Does the subrecipient deny service to any individual because its insurance company conditions coverage or rates?
- Does the subrecipient require that wheelchairs have working brakes, be “in good working condition,” or place any other restrictions on mobility devices? (Exception: situation that poses a “direct threat to others.”)
- Does the subrecipient have policies that suggest a denial of service for rude behavior, swearing, or other behaviors that do not rise to illegal or seriously disruptive?
- Does the subrecipient **require** individuals with disabilities to use designated priority seats?
- Does the subrecipient require persons traveling in securement areas to wear seat belts or shoulder straps when all other passengers do not have the same requirement?
- Does the subrecipient require wheelchair users to wear a body belt when traveling up and down on the lift?
- Does the subrecipient policy prohibit respirators or portable oxygen supplies (Exception: items that are prohibited under applicable Department of Transportation rules on the transportation of hazardous materials—49 CFR subtitle B, chapter 1, subchapter C.)
- Does the subrecipient have any other policy that could discriminate against persons with disabilities?

*Attendant Policies:*

Individuals with disabilities should be allowed to travel with attendants. Attendants cannot be required, though, except if service could otherwise be refused for illegal, violent or seriously disruptive behavior.

*Compliance Responsibilities Vary by Service Classification:*

Compliance responsibilities will vary depending upon the type of entity providing the service. The regulations recognize three types of entities as follows:

**Public entities** include city, town, county, or state governments, or special authorities created under public law such as transit authorities.

**Private, primarily engaged entities** include private companies whose primary business is transportation. This includes private taxi companies, van or bus companies, or private intercity bus companies. This category includes private, non-profit agencies whose main business is transportation.

**Private, not primarily engaged entities** are private companies or organizations, including non-profit organizations, whose primary business is something other than transportation, but who provide transportation as a secondary or support service. This includes human service agencies that operate transportation services as a secondary or support service.

Compliance responsibilities will also vary depending on the type of transportation service provided by the subrecipient. Several types of service that are particularly relevant to these reviews are:

**Fixed route system** means a system of transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including, but not limited to, specified public transportation service, on which a vehicle is operated along a prescribed route according to a fixed schedule. Persons with disabilities must be able to identify the right vehicle to ride, board and safely ride the vehicle and be able to identify their stops. Complementary paratransit must be provided.

**Commuter bus service** means fixed route bus service, characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other service, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.

**Demand responsive system** means any system of transporting individuals, including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including but not limited to specified public

transportation service, which is not a fixed route system. Demand response systems must provide equivalency of service if they purchase both accessible and non-accessible vehicles.

**Route Deviation, Point Deviation, or Flex-Bus systems**, which do not have prescribed routes, or which allow for on-request deviations off of prescribed routes, are considered types of demand responsive systems if the on-request, off-route deviations are available to all riders. If off-route deviations are made only for certain individuals, such as persons with disabilities, these types of services are considered fixed route.

ADA complementary paratransit is a specific type of demand responsive service that is required of public entities that provide non-commuter fixed route service. All providers must provide for maintenance of their equipment, proper training and employee supervision to ensure that accessible service is maintained. Facilities must also be accessible.

#### *General Approach*

INDOT conducts periodic compliance reviews of its Federally funded subrecipients. In this approach, INDOT uses the services of a technical assistance consultant to conduct compliance reviews of **all** subrecipients in the Section 5311 and Section 5310 programs, undertaking approximately 25 reviews per year. In addition, INDOT is collaborating with the MPO council to review the current ADA Transition Plans and identify barriers to accessibility with regard to all fixed route transit providers funded in part by INDOT. The review process for these fixed route transit providers includes the following:

- Identifying the current level of ADA compliance including existence of ADA transition plans that incorporate fixed route transit operations and facilities;
- Requesting / requiring communities with fixed route transit operations to include bus stops, shelters & connecting approaches in their ADA transition plan;
- Reviewing the Accessibility policies and plans of the transit operators;
- Requiring all noncompliance operators and communities to enter into voluntary compliance action plans (VCAPs) to address deficiencies.
- Reporting the outcomes, summary plan information and progress in our 2021 ADA Transition Plan. Current available information will be included in the **appendices** of this plan.

The review process for all other transit providers (section 5311 & 5310) will emulate FTA's Triennial Review and State Review Process. The process consists of both a desk review and an on-site visit by the review team and INDOT. Following each site visit, the consultant review team will issue a report outlining the areas reviewed, compliance deficiencies, actions necessary by the subrecipient to remedy the deficiency, and the timeframe for corrective action.

A principle tenant of the INDOT approach to the Compliance Review Program is the provision of technical assistance. The consultant team will be required to assist each subrecipient under review to understand the requirements of any particular circular, rule, regulation or law, to provide copies of relevant regulatory citations and technical assistance materials, and to render additional assistance in subrecipient remedy of findings, as necessary.

The review process will consist of nine structured steps, from formal communication by INDOT announcing a scheduled Compliance Review to the issuance of the final report and action plan by the review consultant. Steps in the process will include:

1. Initial communication from INDOT announcing the review, requesting materials, site visit schedule, etc.
2. Response period for system under review and IDOT to provide desk review materials to the review consultant.
3. Consultant desk review.
4. Site visit for on-site data collection, files inspection, etc.
5. Preparation of the draft compliance report.
6. INDOT review of the draft report.
7. Issuance of draft report to subrecipient.
8. Subrecipient review and response.
9. Preparation of the final report and subrecipient action plan.

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The document's checked as part of the review related to Civil Rights and Accessibility Program Areas include:

Yes	No	Document/Reference in Indiana Program Manual
<b>Civil Rights</b>		
<input type="checkbox"/>	<input type="checkbox"/>	Copy of standard Title VI Assurance (Submission of Standard Assurance, p. VIII-1)
<input type="checkbox"/>	<input type="checkbox"/>	Description(s) of any lawsuits or complaints alleging discrimination in service delivery filed within last year along with statement of resolution/outcome (Nondiscrimination, p. VIII-1)
<input type="checkbox"/>	<input type="checkbox"/>	Summary of all civil rights compliance activities conducted in the last three years (Nondiscrimination, p. VIII-1)
<input type="checkbox"/>	<input type="checkbox"/>	Analyses of environmental or social impacts, including minority communities, arising from construction project (except those that qualify as categorical exclusion) (Nondiscrimination, p. VIII-1)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of EEO program (If the subrecipient receive more than \$1,000,000 in Federal assistance or employ more than 50 employees) (Equal Employment Opportunity, p. VIII-2)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of DBE Program and Goals (If the subrecipient receive more than \$250,000 (exclusive of vehicle purchases) in Section 5311 funds (and Section 5307 and Section 5310 funds, if applicable)) (Disadvantaged Business Enterprise, p. VIII-2)
<input type="checkbox"/>	<input type="checkbox"/>	Copies of most recently developed annual DBE goals (if applicable) (Disadvantaged Business Enterprise, p. VIII-2)
<input type="checkbox"/>	<input type="checkbox"/>	DBE reports to INDOT (if applicable) (Disadvantaged Business Enterprise, p. VIII-2)
<b>Americans with Disabilities Act (ADA)</b>		
<input type="checkbox"/>	<input type="checkbox"/>	Copies of any complaints filed against the subrecipient alleging discrimination on the basis of disability in service delivery (filed within last year) along with statement of resolution/outcome (Americans with Disabilities Act, p. VIII-3)
<input type="checkbox"/>	<input type="checkbox"/>	Written records of service denials and the basis for those denials (Americans with Disabilities Act, p. VIII-3)
<input type="checkbox"/>	<input type="checkbox"/>	Copy and description of fare structure employed by the subrecipient (Americans with Disabilities Act, p. VIII-3)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of system information distributed or available to the public (Americans with Disabilities Act, p. VIII-3)
<input type="checkbox"/>	<input type="checkbox"/>	Copies of the complementary paratransit plan and annual updates (with INDOT/FTA approval letters), if applicable (Americans with Disabilities Act, p. VIII-3)

In addition, the Annual Certifications and Assurances which must be signed by every FTA funds recipient (via INDOT) include nondiscrimination and accessibility assurances. The compliance review also seeks to ensure that the recipient has adequate staff and control measures in place to ensure that properly trained staff operate its programs and vehicles, and that there is adequate staff for safety and to ensure compliance with the State and Federal Programs requirements. INDOT reviews the percentage of contract ridership vs. general public, how many rides have been rescheduled or missed, how fares are determined, whether there have been complaints or grievances and seeks to ensure funds are spent properly and beneficiaries receive the service they should properly receive. For more information, feel free to request a copy of the “Indiana DOT Compliance Review Field Guide” and / or “nondiscrimination and accessibility assurances” for transit providers from INDOT.

INDOT receive more requests for funding than there exists federal funding available and funding had not increased to meet increasing demands. Funding occurs on a competitive basis and applicants must ensure they can meet accessibility requirements before they are awarded funding. To request copies of our funding / grant applications or guidelines, please contact INDOT.

*Compliance Reviews Conducted:*

Between 2015-2018 INDOT conducted 100 compliance reviews representing 100% of its subrecipients. Of those reviews 100 were found to be in compliance while 0 had one or more deficiencies. No subrecipients were identified as having substantial deficiencies in meeting accessibility requirements.

Common ADA deficiencies include: Individual driver training in Passenger Assistance and Wheelchair Securement may at times be overdue, however always corrected within required timeframes once identified by INDOT.

INDOT provided the following technical assistance to deficient providers between 2015-18: As a result of our compliance reviews and technical assistance, no deficiencies were addressed. If necessary, INDOT would provide the appropriate level of technical assistance to its providers who may have outstanding deficiencies to ensure they demonstrate good faith efforts to remove barriers to accessibility in order to remain eligible for funding. INDOT has not denied or withheld funding from any providers as a result of not being able to meet or maintain accessibility requirements. Anyone who has a concern related to accessibility of a service provider’s programs or facilities may file a grievance with the provider, INDOT or directly with the FTA.

*INDOT Facilities Division 2018 Transition Plan Update:*

INDOT’s ADA Coordinator meets at least annually with its facilities director or designee to discuss facilities being retired, constructed or altered and to ensure these modifications are consistent with all accessibility requirements. The Facilities division is currently evaluating the barriers identified by INDOT’s ADA coordinator and developing a remediation schedule for all INDOT facilities.

INDOT is constructing a brand new pigeon Creek Welcome Center which is currently out for bid. INDOT facilities is evaluating our rest areas for consolidation and / or upgrading.

Estimates are underway to determine the cost of removing barriers to accessibility in order to develop a more comprehensive prioritization schedule.

INDOT replaced the Flat Creek Rest Area Building with the Auburn Rest Area Building. In 2013, opened a new Aurora sub-district building and Fort Wayne District Administrative Office. An overview of the facilities recently constructed (and constructed to meet ADA specifications) is provided below. A more comprehensive analysis of rest areas is included in the Appendices.

#### District Buildings Overview

The ADA Coordinator conducted a self-evaluation of its rest areas and four of its District buildings in 2014-15. The Rest Area study is included in Appendix D. The districts evaluated included the Greenfield, Crawfordsville, Vincennes and Seymour Districts. It should be noted that INDOT's LaPorte District is constructed in the same layout as the Crawfordsville, Vincennes and Seymour Districts and that the Ft. Wayne District office was recently reconstructed to standard. An analysis of the districts visited and measured demonstrated that parking requirements were generally met with regard to the number of spaces and number, size and position of accessible parking spaces. In all cases curb ramps were provided from the accessible parking spaces to the sidewalk and the sidewalks were generally appropriate in slope and width.

Each district maintains an accessible entrance, though some pushbuttons have been disabled in order to create a secure entrance whereby front office staff must press a button to allow any person entry to the building. This system is being evaluated to determine if accessibility can be improved while security is maintained. The width of the entrances, transition through the door jambs and height and type of the buttons and handles all fall within specifications. There is sufficient area to navigate within the entrance and through the hallways of all District offices. Elevators are likewise compliant, containing properly placed signage that includes Braille and is placed at the appropriate height. Buttons for elevator operation also meet the requirements; the size of the entry to the elevator and size of the elevator car is sufficient in each instance. The elevator doors, when activated, operate (open and close) within the specified parameters. Drinking fountains are generally accessible, unobstructed and operable. Restrooms are generally accessible. In at least one location, a single restroom was not accessible, but an accessible restroom was located in an equally convenient location. Additional signage would indicate the location of the accessible restroom. Door width and handles to enter the restrooms were appropriate. In some cases the restroom signs were not located on the proper side of the door, but in most cases this was due to a corner entrance and thus out of necessity. The counter height of the sinks, navigable area and depth, access to soap dispensers and hand dryers as well as mirrors was sufficient.

In many instances the coat hooks were hung too high on the doors of the accessible restrooms and some stall closures could be replaced with more accessible mechanisms. The toilets themselves were properly placed in appropriately sized stalls and the handrails were generally unobstructed and hung at the right height or very, very close to the right height. As such no major improvements are recommended to the District facilities. INDOT will continue to assess its other facilities as updates or replacements are scheduled and make minor adjustments to its existing District facilities to improve accessibility and work to ensure security provisions do not unnecessarily inhibit accessibility.

In 2018 INDOT is focusing on removing access barriers to entry ways such as providing maintenance to inoperable push buttons, etc.

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## INDOT 2018 Accessible Technology Update:

### *INDOT's Website:*

INDOT will be reviewing its website accessibility in 2018. INDOT does provide accessibility resources and tools and makes every attempt to post material in an accessible format, but as we work to streamline our customer service, we will evaluate where barriers exist and work to establish protocols for improving our public facing website accessibility. We welcome public involvement in this process.

Each visitor using the INDOT website has the right to obtain information and services independently, conveniently and in an alternate format upon request.

In accordance with Indiana Code 4-13.1-3, all state information, technology, equipment, software and systems used by the public or state employees complies with the accessibility standards of Section 50 of the Federal Rehabilitation Act of 1973 (Section 508).

With the guidance of the state's Assistive Technology Standards Group (ATSG) INDOT continues to work towards its commitment to ensure equal access to individuals with disabilities. INDOT's Communications Division, continually monitors the website content and makes modifications to remove accessibility barriers.

INDOT's website, which follows the standards set by the State of Indiana website [IN.gov](http://IN.gov), includes a free screen reader and translation tool that requires a simple and secure download. Browse aloud by text HELP allows visually impaired users and foreign language speakers to use the [IN.gov](http://IN.gov) website without difficulty by reading aloud the users' page content, including HTML, PDF and Word files. Users can choose the language, pronunciations and voice that will read the website.

### *INDOT's Customer Service Call Center:*

In 2018 INDOT is launching its customer service call center. As a result there will be a single telephone number to dial for all of INDOT replacing hundreds of direct-dial lines for employees. This will improve accessibility for all people to INDOT programs but certainly reduce the amount of navigation through our website or contact lists for persons with disabilities. The customer service center will also monitor resolution of the issues that the customer service intake center received to ensure that resolution is achieved in a timely manner. Our ADA Coordinator will work closely with the INDOT call center to ensure that disability discrimination does not occur as a result of our customer service call center once it is rolled out February 1, 2018.

### *INDOT University:*

INDOT University utilizes web-based training platforms to provide required and professional training to contractors, consultants and INDOT staff. INDOT's ADA Coordinator collaborated with our Talent Management Division to ensure that training offered on the program is accessible. If a request for accommodation is made, Talent Management will coordinate with INDOT management to be sure the person making the request is reasonably accommodated.

## FHWA STATE TRANSPORTATION AGENCY (STA) REQUIREMENTS CHECKLIST:

State Transportation Agency (STA) Responsibilities			
A. General Requirements (Subpart A and B):	Yes	No	?
1. Does the STA have a 504/ADA coordinator? (28 CFR 35.107(a) & 49 CFR 27.13(a))	✓		
2. Does the STA have an internal grievance procedure that allows for quick and prompt solutions for any complaints based on alleged noncompliance with 504/ADA? (Note: "Grievance procedure" refers to a process for external complaints) (28 CFR 35.107(b) & 49 CFR 27.13(b))	✓		
3. Does the STA keep on file for at least one year all complaints of noncompliance with ADA and 504 received? (49 CFR 27.121(b))	✓		
4. Has the STA drafted and disseminated to participants, applicants, employees, unions, and contractors/consultants a non-discrimination policy statement that states that the STA does not discriminate on the basis of disability in admission or access to, or treatment or employment in its programs or activities? (28 CFR 35.106 & 49 CFR 27.15)	✓		
5. Does the non-discrimination policy statement also identify the name, title, office address and office telephone number of the 504/ADA Coordinator? (28 CFR 35.107(a) & 49 CFR 27.15(a) and (b))	✓		
6. Has the STA conducted a self-evaluation of its current services, policies, and practices, and the effects thereof, to determine necessary modifications to achieve program accessibility? (28 CFR 35.105 & 49 CFR 27.11(c)(2)(i-v))	✓		
7. If so, did the STA provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments? (28 CFR 35.105(b) & 49 CFR 27.11(c)(2))	✓		
8. Has the recipient established a system for periodically reviewing and updating the evaluation? (49 CFR 27.11 (c)(2)(v))	✓		
9. Does the STA maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities? (Note: includes STA buildings and public rights-of-way facilities such as sidewalks, curb ramps and accessible pedestrians signal) (28 CFR 35.133)	✓		
10. Does the STA monitor sub-recipients who receive STA assistance (local governments, contractors, consultants) to ensure compliance with Title II ADA and 504 with respect to STA funded (both Federal and State) projects and programs that the sub-recipients implement? (28 CFR 35.130 (b)(1)(v) & 49 CFR 27.7 (V))	✓		

11. Does the STA provide a written assurance to the FHWA that it will not discriminate on the basis of disability in the provision of its programs, services, activities, and facilities, and that it will be in compliance with Section 504 and all of its requirements? (Note: this can be included in the Title VI assurance to FHWA) (49 CFR 27.9)	✓		
<b>B. Program and Facility Accessibility ( Subpart D)</b>	<b>Yes</b>	<b>No</b>	<b>?</b>
Title II ADA Transition Plan Requirements			
1. Has the STA developed and implemented a transition plan that outlines which structural modifications must be made to those programs and services that are not accessible? (28 CFR 35.150(d) & 49 CFR 27.11)	✓		
2. Has the STA also developed a curb ramp installation schedule as part of the transition plan for pedestrian facilities it owns, operates and/or maintains? (28 CFR 35.150(d)(2))	✓		
3. If so, did the STA provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the transition plan process by submitting comments? (28 CFR 35.150(d)(1) & 49 CFR 27.11)(c)(2))	✓		
4. Is the transition plan available for public inspection? (28 CFR 35.150(d)(1) & 49 CFR 27.11)	✓		
5. Has the STA modified any policies or practices that do not meet Section 504 according to a schedule or sequence that includes milestones or measures of achievement? (49 CFR 27.11 (c)(2)(iii))	✓		
6. Has the STA taken appropriate remedial steps to eliminate the effects of any discrimination that resulted from previous policies and practices? (49 CFR 27.11 (c)(2)(iv))	✓		
7. Does the STA have a process to analyze an existing program, service or benefit for determinations of "undue" financial or administrative burdens, or fundamental alteration to the program, service or benefit that comports with the criteria for making such determinations in 28 CFR 35.150 (a)(3) and 28 CFR 35.164? (Note: A process to conduct undue burden determinations is not required but is a best practice. However, the documentation of an undue burden determination by an STA is required by these regulations)	✓		
8. Does the STA build new facilities and alter existing ones (both pedestrian ROW and STA buildings) in accordance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Appendix A of 49 CFR 37? (28 CFR 35.151 (c) and 49 CFR 27.3 (b))	✓		

9. Does the STA have a process and procedure for the installation of accessible features on the pedestrian rights-of-way (curb ramps, accessible pedestrian signals, etc.)?	✓		
10. Does the STA provide accessible highway rest areas and pedestrian underpasses, overpasses and ramps that are newly constructed or altered with Federal aid? (49 CFR 27.75)	✓		
11. Does the STA have a process for making technical infeasibility determinations for new construction and alterations that comports with the criteria in ADAAG 4.1.1 (5) and 4.1.6(J)?	✓		
12. Does the STA install curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway, when streets, roads, highways or crosswalks are newly constructed or altered, or when the crosswalk is constructed with Federal aid? (28 CFR 35.151 (e)(1)(2) and 49 CFR 27.75 (a)(2))	✓		
13. Is the STA installing detectable warnings in the form of truncated domes in curb ramps when roadways with pedestrian facilities are altered? (ADAAG 4.29 and FHWA policy guidance (May 2002))	✓		
<b>C. Communications (Subpart E)</b>	<b>Yes</b>	<b>No</b>	<b>?</b>
1. Does the STA provide auxiliary aids (sign language interpreters, readers, Braille, large print text) upon request, to STA program participants with disabilities? (28 CFR 35.160 (b)(1) and 49 CFR 27.7(c))	✓		
2. Does the STA notify the public and other interested parties that auxiliary aids will be provided, upon request (e.g., via public meeting announcement)? (28 CFR 35.160 (a), 28 CFR 35.163 (a), and 49 CFR 27.7(c))	✓		
3. Is the STA website and all of its contents accessible to individuals with hearing or visual impairments? (28 CFR 35.160 (a), 28 CFR 35.163 (a), and 49 CFR 27.7(c))	✓		
4. Can hearing impaired individuals contact the STA via TTD/TTY phone line or an equally effective telecommunications system such as a relay service? (28 CFR 35.161 and 49 CFR 27.7(c))	✓		

## GLOSSARY OF TERMS

**ADA Coordinator:** An individual responsible for overseeing and coordinating the administrative requirements of a public entity's ADA compliance efforts and responding to complaints filed by the public.

**ADA Transition Plan:** INDOT's transportation system plan that identifies accessibility needs, and identifies the process to integrate accessibility improvements, and ensures all transportation facilities, services, programs and activities are accessible to all individuals.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the 2010 Standards. (PROWAG R106.5)

**Accessible Pedestrian Signal (APS):** A device that communicates information about the WALK phase in audible and vibrotactile formats. (PROWAG R105.5)

**Alteration:** A change to a facility in the public right of way that affects or could affect access, circulation or use of the facility. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act of 1990, as amended sets design guidelines for accessibility to public facilities, including sidewalks and trails by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** The ADAAG contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the ADA.

**ADA Transition Plan:** An adopted listed of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities or services to individuals with disabilities; a detailed outline of the methods the public entity will use to remove the barriers identified and make the facilities accessible; the schedule for taking the necessary steps to achieve compliance. If the period for achieving compliance is longer than one year, the plan should identify the interim steps that the public entity will take during each year of the transition period. The plan includes the name of the official responsible for the plan's implementation.

**Assurances:** A statement of guarantee given in consideration of and for receiving federal-aid.

**Auxiliary Aids and Services:** Auxiliary aids and services includes—(1) Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs),

videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

(2) Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;

(3) Acquisition or modification of equipment or devices; and

(4) Other similar services and actions.

(28 CFR §35.104)

**Blended Curb or Transition:** A curb ramp shallower than 1:20 (5%), where the sidewalk is blended into or is flush with the street.

**Building:** Any structure used or intended for supporting or sheltering any use or occupancy. (PROWAG R106.5)

**Circulation Path:** An exterior or interior way of passage provided for pedestrian travel including, walks, hallways, courtyards, elevators, platform lifts, ramps, stairways and landings.

**Complete Complaint:** A signed written statement that contains the complainant's name and address and describes the alleged discriminatory act in sufficient detail to inform INDOT of the nature and date of the alleged violation of Title VI of the Civil Rights Act of 1964, Vocational Rehabilitation Act or the Americans with Disabilities Act. The complaint must be signed by the complainant or an authorized representative of the complainant.

**Complainant:** The person filing a complaint.

**Compliance:** The satisfactory condition existing when a recipient has effectively complied with the current ADA standards.

**Cross Slope:** The slope that is perpendicular to the direction of accessible pedestrian travel. (PROWAG R105.5)

**Crosswalk:** The part of a roadway at an intersection that is included within the extensions of the lateral lines of the sidewalks on opposite sides of the roadway, measured from the curb line or, in the absence of curbs, from the edges of the roadway or, in the absence of a sidewalk on one side of the roadway, the part of the roadway included within the extension of the lateral lines of the sidewalk at right angles to the centerline.

**Curb Line:** A line at the face of the curb that marks the transition from the roadway to a sidewalk or planting strip between the sidewalk and the gutter or roadway.

**Curb Ramp:** A short ramp cutting through a curb or built up to it. (PROWAG R106.5)

**Detectable Warning:** A surface feature built in or applied to walking surfaces or other elements to advise of an upcoming change from a pedestrian to a vehicular way. (PROWAG R405.5)

**Element:** An architectural or mechanical component of a facility, space, site or public right of way.

**Entrance:** Any access point to a building or facility used for entering including entry door or gate and hardware. (PROWAG R106.5)

**Facility:** All or any portion of structures, improvements, elements and pedestrian or vehicular routes located on a site or a public right-of-way.

**Facility:** All or any portion of buildings, structures, vehicles, equipment, roads, walks, parking lots, or other real or personal property or interest in such property. (49 CFR §27.5)

**Federal Financial Assistance:** Any grant, loan, contract (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which the Department provides or otherwise makes available assistance in the form of:

- (a) Funds;
- (b) Services of Federal personnel; or
- (c) Real or personal property or any interest in, or use of such property, including:
  - (1) Transfers or leases of such property for less than fair market value or for reduced consideration; and
  - (2) Proceeds from a subsequent transfer or lease of such property if the Federal share of its fair market value is not returned to the Federal Government. (49 CFR §27.5)

**Flush Transition:** See Blended Transition

**Grade Break:** The meeting line of two adjacent surfaces of different slope (grade).

**Graphic Information System:** A geographic information system (GIS) lets us visualize, question, analyze, interpret, and understand data to reveal relationships, patterns, and trends

**Island:** Curbed or painted area outside the vehicular path that is provided to separate and direct traffic movement, which also may serve as a refuge for pedestrians.

**Marked Crosswalk:** Any portion of a roadway at an intersection or elsewhere that is distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**Metropolitan Planning Organization:** Each urbanized area in the United States with a population of 50,000 or more is required by the federal government to have a metropolitan planning organization (MPO). MPOs are responsible for the continuing, cooperative and comprehensive transportation planning process for their urbanized area

**Parallel Curb Ramp:** A system of two sloped ramps that run parallel to the curb line from a common lower landing that is approximately level with the street.

**Pedestrian Access Route:** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility. (PROWAG R105.5)

**Perpendicular Curb Ramp:** A curb ramp with a main slope running perpendicular to the curb line and with one or more flared side slopes.

**Projects:** Any construction or maintenance project that disturbs the pavement by at least  $\frac{3}{4}$  of an inch.

**Public Right of Way:** Land or property owned by a public entity and usually acquired for or devoted to transportation or pedestrian purposes.

**Public Use:** Interior or exterior, rooms, space or elements that are made available to the public.

**Ramp:** A walking surface that has a running slope steeper than 5%.

**Right of Way:** Denotes land, property or interest therein, usually in a strip, acquired for or devoted to transportation purposes.

**Running Slope:** The slope that is parallel to the direction of travel expressed as a ratio of rise to run in the public right of way. This is usually called grade and is expressed as a percentage.

**Section 504:** Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination in any program or activity receiving federal financial assistance.

**Sidewalk:** That portion of a public right of way between the curb line or lateral line of a roadway and the adjacent property line that is improved for use by pedestrians.

**Sub-recipient:** An entity or person that indirectly (usually through a grant or contract) receives federal financial assistance to implement a program or activity, which obligates them to comply with the Section 504 and its implementing regulations. Subrecipients include, but are not limited to, metropolitan planning organizations, local public agencies, and colleges/universities.

**Street Furniture:** Elements in the public right-of-way intended for use by pedestrians.

**Technically Infeasible:** An alteration that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load bearing member that is an essential part of the structural frame or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full strict compliance with the minimum requirements of the 2010 ADA Standards.

**Vibrotactile:** A vibrating surface, located on the accessible pedestrian signal button that communicates information through touch. (PROWAG R105.5)

## APPENDICES

Document / Policy Location	Page #
APS Policy, Study Report Form & APS Request Form	56
INDOT's Reasonable Accommodation Process Diagram	
INDOT's Complaint Form (English & Espanol)	
INDOT's Document Translation Request Form	
Roadway Asset Improvement Schedule (Comprehensive)	
Prioritized Project Schedule (Short Term District Priorities)	
CAWG Charter	
Complete Streets Policy	
Common Paths Program	
Transit Evaluation (Bus Stop / Shelter & Approach Inventory)	



# APS STUDY REPORT FORM



## Appendix C Accessible Pedestrian Signals (APS) Study Report Form

Intersection:		
Date:	*Time:	County:
*Weather Conditions		
Investigator(s):		
Specific Needs of Requesting Party:		

**A. First Tier Criteria (check all that apply)**

- 1. Sidewalks not present or would not be installed concurrently with APS
- 2. Pedestrian crosswalks are in an area with ambient noise above 100 dB
- 3. Installation of APS requires upgrade to controller cabinet and a larger controller cabinet would be infeasible due to right of way constraints

If any of the boxes in Section A above are selected, the APS Study is complete and APS **should not** be used at the subject intersection.

**B. Second Tier Criteria (check all that apply)**

- 1. Traffic generators within 2 blocks of the intersection that serve the visually impaired (e.g. hospitals, senior centers, optometrists, schools for the visually impaired, etc.)  
Traffic generator(s): \_\_\_\_\_
- 2. Exclusive pedestrian phase, leading pedestrian interval, or pedestrian phase not concurrent with parallel through movement
- 3. Visually impaired pedestrian users either present or anticipated if APS is provided
- 4. Intersection is in a city or town that uses or will use APS at all pedestrian signals

If any of the boxes in Section B above are selected, the APS Study is complete and APS **should** be used at the subject intersection.

**C. Third Tier Criteria (check all that apply)**

- 1. Previous requests for APS?  
Previous requestor(s): \_\_\_\_\_ Date(s): \_\_\_\_\_
- 2(a). Daytime hourly volume on minor street less than 120 vehicles per hour for any hour during the day
- 2(b). Right turn on red volumes exceed 90 vehicles for any approach for any hour
- 3. Split phasing or protected left turn phasing
- 4(a). Crosswalk lengths (check if any length is more than 40 ft)  
North Leg \_\_\_\_\_ East Leg \_\_\_\_\_  
South Leg \_\_\_\_\_ West Leg \_\_\_\_\_
- 4(b). Skewed Crossing? (attach aerial photo of intersection with study)
- 4(c). Curb ramp radius > 25 ft for any ramp at the location
- 4(d). Curb ramp not aligned with crosswalk direction
- 4(e). Median greater than 4 ft wide?  
Median width: \_\_\_\_\_
- 4(f). Crosswalk slope greater than 5%

\* Applicable only when field work is performed.

## Accessible Pedestrian Signals (APS) Study Report Form

Crosswalk transverse slope: _____ <input type="checkbox"/> 4(g). Speed limit greater than 40 mph on any approach North Leg _____ East Leg _____ South Leg _____ West Leg _____
C. Third Tier Criteria (continued): <input type="checkbox"/> 5. Bike lanes, shared use path, etc., present <input type="checkbox"/> 6. APS Present at Adjacent Intersections? <input type="checkbox"/> 7. Presence of at least one traffic generator within 2 blocks (e.g. shopping centers, government offices, transit stops or terminals, etc. Use additional sheets if necessary): Traffic generator: _____ Traffic generator: _____ Traffic generator: _____ Traffic generator: _____ <input type="checkbox"/> 8. Other relevant factors (pedestrian crashes, channelized right-turn lane with yield control, etc): Please describe: _____ _____
For Section C, APS <b>is likely recommended</b> if any one box in section C is selected unless the weight of the data supports a decision not to install (must document this*).
D. Additional Comments:
E. Recommendations: (*if APS is not recommended summarize the facts supporting the decision not to install, a and attach additional sheets or pictures if necessary) _____ _____ <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> APS Recommended      <input type="checkbox"/> APS Not Recommended                 </div>
F. Signatures:  _____ Signature <span style="float: right;">Date</span>  _____ Printed Name  Title: _____ (typically the district traffic engineer)

# APS SIGNAL REQUEST FORM



## EXTERNAL REQUEST FOR THE INSTALLATION OF ACCESSIBLE PEDESTRIAN SIGNAL (APS)

State Form 55545 (3-14)



Name			
Please indicate if you are one of the following.			
<input type="checkbox"/> Visually Impaired Pedestrian			
<input type="checkbox"/> Local Public Agency : _____			
<input type="checkbox"/> Group or Association: _____			
Address (number and street, city, state, and ZIP code)			
Telephone number (    )		E-mail address	
I/We request the installation of Accessible Pedestrian Signal at the following intersection(s).			
<b>MAJOR ROAD</b>	<b>MINOR ROAD</b>	<b>CITY OR TOWN</b>	<b>COUNTY</b>
NOTE: Attach additional form sheets if request includes more than four (4) locations.			
Please describe the difficulty experienced in crossing this/these intersections.			
Signature			Date signed (month, day, year)
<p><b>Return Form to:</b>                  Indiana Department of Transportation                  c/o ADA Coordinator; Legal Division                  Indiana Government Center North Room 730                  100 N Senate Ave                  Indianapolis, IN 46204</p>			

Available in an alternate format upon request.

<b>FOR OFFICE USE ONLY</b>		
Received by	Date received (month, day, year)	Date forwarded for APS study (month, day, year)

## REASONABLE ACCOMMODATIONS FOR STATE EMPLOYEES

This checklist and process chart are made available to state agencies by Indiana's State Personnel Department (SPD) to put into practice during reasonable accommodation considerations:

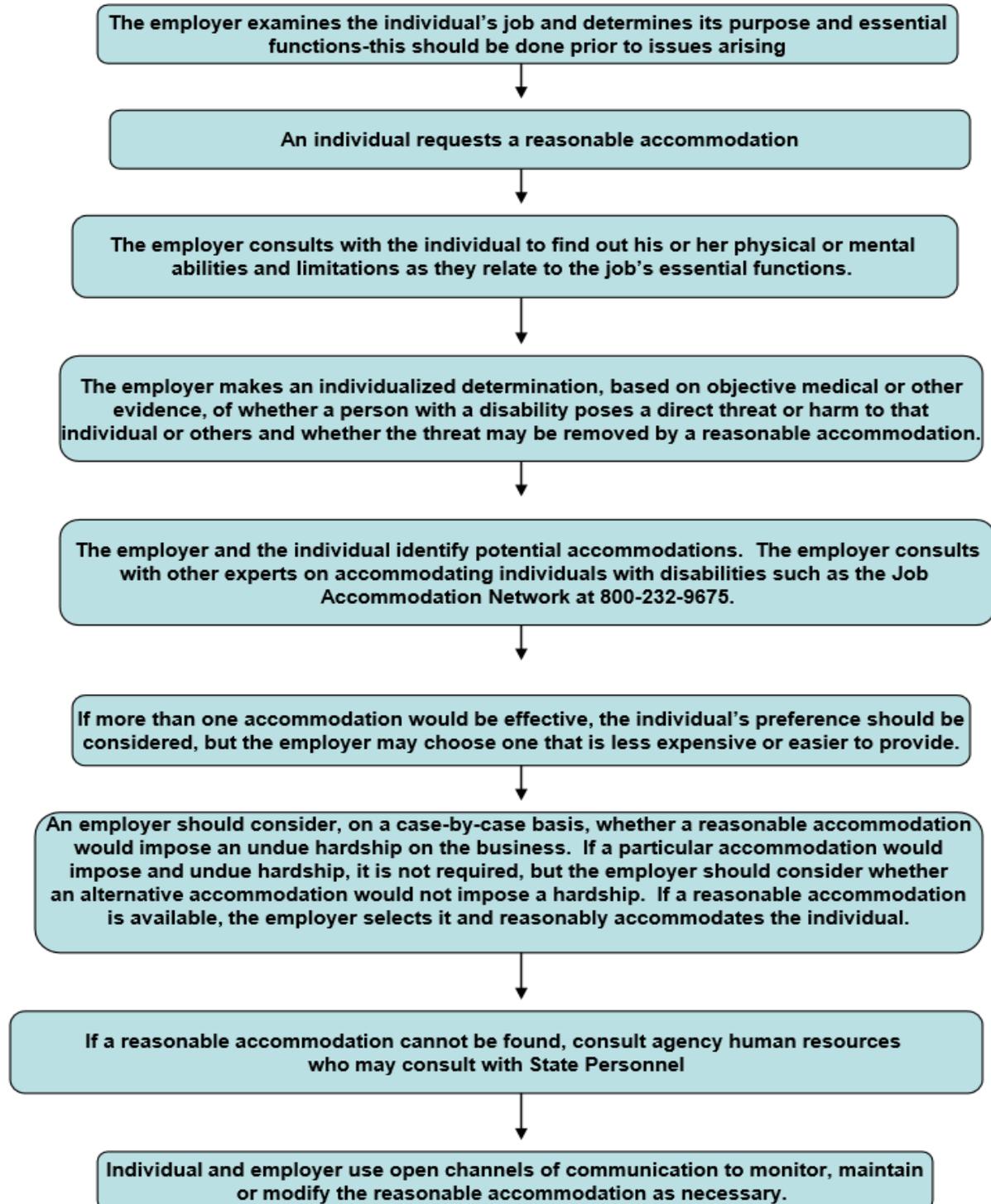
### **Reasonable Accommodation and Interactive Process Checklist**

- ✓ The reasonable accommodation and interactive process must be documented and handled in a confidential manner.
- ✓ Supervisor becomes aware of the employee's disability and/or need of an accommodation either:
  - Because the employee has requested an accommodation.
  - The disability is obvious.
  - The supervisor has learned of the need through observation or a third party.
- ✓ Supervisor consulted with Human Resources (HR).
- ✓ HR and/or supervisor initiates a confidential interactive discussion with the employee in a timely manner to:
  - Identifies job-related limitation(s).
  - Asks for ideas on what the agency can provide to enable the employee to perform the essential functions of their position.
- ✓ HR and/or supervisor ask employee for reasonable medical documentation of the condition and limitations related to the requested accommodation(s) from medical provider, unless limitations are obvious or already known.
  - If information provided is unclear, HR specifies what further information is needed or what needs to be clarified and allows the employee a reasonable amount of time to provide the additional information.
- ✓ HR works with supervisor and the employee to identify effective reasonable accommodations which will enable the employee to perform the essential functions of their position and/or enjoy the same access to benefits and privileges of employment as their non-disabled employees.
  - HR and supervisor should consider the preferences of the employee, but has the right to implement an accommodation that is effective in allowing the employee to perform the essential functions of their position.
  - HR and supervisor can't force an employee to use an accommodation, but the supervisor can enforce performance expectations.
- ✓ HR or supervisor takes the necessary steps to develop a written plan or obtain assistive technology and implement the agreed upon accommodation(s).
  - HR can delegate the tasks required to obtain the identified accommodation, but this should not require disclosure of the medical documentation and/or condition.

- ✓ If reassignment to a vacant position is considered as a possible accommodation, HR may ask the employee to provide information about his/her educational qualifications and work experience that may help HR to find an alternative position for the employee.
  - If reassignment to a vacant position is considered as a reasonable accommodation, the employee is moved to that position. If the employee is required to compete for the vacant position, then it is not considered a reasonable accommodation.
  
- ✓ Periodically revisit the accommodation and make adjustments accordingly to ensure the accommodation is effective.
  - Training needs?
  - Replacement/repair needs?
  
- ✓ Document discussions and decisions and maintain records in employee's confidential medical file.

DRAFT

# Reasonable Accommodation Process



# INDOT'S COMPLAINT FORM

This form is available online at:

<http://www.in.gov/indot/files/External%20Complaint%20Policy%20and%20Form.pdf>



## EXTERNAL COMPLAINT OF DISCRIMINATION

State Form 54616 (R3 / 7-15)  
INDIANA DEPARTMENT OF TRANSPORTATION  
ECONOMIC OPPORTUNITY DIVISION

Barbara Malone, ADA/Title VI Program Manager  
INDIANA DEPARTMENT OF TRANSPORTATION  
ECONOMIC OPPORTUNITY DIVISION  
100 N Senate Ave. Room 755B  
Indianapolis, IN 46204  
Telephone number : (317) 234-6142  
Fax number : (317) 233-0891  
E-mail address: [AccessForAll@INDOT.in.gov](mailto:AccessForAll@INDOT.in.gov)  
[www.in.gov/dot/](http://www.in.gov/dot/)

### INSTRUCTIONS:

*The purpose of this form is to help any person interested in filing a discrimination complaint with the Indiana Department of Transportation (INDOT). If the complaint is against INDOT, INDOT's Title VI/ADA Program Manager will forward it to the appropriate federal agency for investigation.*

*You are not required to use this form. You may write a letter with the same information, sign it and return it to the address printed above.*

*All items in bold must be completed for your complaint to be investigated. Failure to provide complete information may impair the investigation of your complaint.*

*Title VI of the Civil Rights Act of 1964, as amended and its related statutes and regulations (Title VI) prohibit discrimination on the basis of race, color and national origin in connection with programs or activities receiving federal financial assistance from the United States Department of Transportation, Federal Highway Administration and/or Federal Transit Administration. These prohibitions extend to INDOT as a direct recipient of federal financial assistance and to its sub-recipients, consultants, and contractors, whether federally funded or not. INDOT's non-discrimination policy also prohibits discrimination based on age, gender and income status.*

*INDOT is also required to implement measures to ensure that persons with limited English proficiency and persons with disabilities have meaningful access to the services, benefits, and information of all its programs and activities under Executive Order 13166 and the Americans with Disabilities Act of 1990, as amended.*

*Upon request, assistance will be provided if you are an individual with a disability or have limited English proficiency. Complaints may also be filed using alternative formats, such as computer disk, audiotape or Braille. For TTY customers, dial 711 to reach the Indiana Relay Service.*

*You also have the right to file a complaint with other state or federal agencies that provide federal financial assistance to INDOT. Additionally, you have a right to seek private counsel.*

*INDOT and its sub-recipients, consultants, and contractors are prohibited from retaliating against any individual because he or she opposed an unlawful policy or practice, filed charges, testified, or participated in any complaint action under Title VI or other nondiscrimination authorities.*

*Please make a copy of your complaint form for your personal records. Do not send your original documents as they will not be returned. Mail the original complaint form along with any copies of documents or records relevant to your complaint to the address above.*

*Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.*

**\*\*Your complaint cannot be processed without your signature.**

COMPLAINANT INFORMATION		
Name (first, middle, and last)		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -

Name of complainant	Date (month, day, year)
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**PERSON / AGENCY YOU BELIEVE DISCRIMINATED AGAINST YOU**

Name (first, middle, and last)	Title
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Name of company

Address (number and street, city, state and ZIP code)

Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
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When was the last alleged discriminatory act? (month, day, year) \_\_\_\_\_

Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.

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The alleged discrimination was based on:  
 Race     Color     Gender     National Origin     Disability     Age     Retaliation

Describe the alleged act(s) of discrimination. (Use additional pages, if necessary.)

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Name of complainant	Date (month, day, year)
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<b>Provide the names of any individuals with additional information regarding your complaint:</b>		
Name of witness 1 (first, middle, and last)		Title
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
-----		
Name of witness 2 (first, middle, and last)		Title
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
-----		

Name of witness 3 (first, middle, and last)		Title
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
-----		
How would you like your complaint to be resolved?		
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-----		

Name of complainant	Date (month, day, year)
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Have you filed a complaint alleging the same discrimination with another state or federal agency? <input type="checkbox"/> Yes <input type="checkbox"/> No
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*If yes, please provide the following information for each agency:*

Name of the agency	Date complaint filed (month, day, year)
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Case number assigned to your complaint	Current status of your complaint
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How did you learn about your right to file a discrimination complaint with INDOT?

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Signature	Date signed (month, day, year)
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## QUEJA DE DISCRIMINACIÓN EXTERNO

State Form 54516 (1-11)  
INDIANA DEPARTMENT OF TRANSPORTATION  
ECONOMIC OPPORTUNITY DIVISION

Barbara Malone, Title VI / ADA Program Manager  
INDIANA INDOT Legal Division  
100 N Senate RM N750  
Indianapolis, IN 46204  
Telephone number : (317) 232-3019  
E-mail address: BaMalone@indot.in.gov  
www.in.gov/dot/

### INSTRUCCIONES:

*El propósito de esta forma es para ayudar a cualquier persona quien está interesada en someter una queja de la discriminación con el Departamento del Transporte de Indiana (INDOT). Si la queja está contra INDOT, el Administrador del Programa del Título VI/ADA de INDOT lo remitirá a la agencia federal apropiada para la investigación.*

*A Ud. no le requieren utilizar esta forma. Usted puede escribir una carta con la misma información, firmarla y volverla a la dirección impresa arriba.*

*Todos los artículos en negrilla se deben rellenar para que su queja sea investigada. La falta de proporcionar la información completa puede deteriorar la investigación de su queja.*

*El Título VI de la Ley de las Derechas Civiles de 1964, como enmendado y sus estatutos relacionados y las regulaciones (Título VI) prohíben la discriminación en base de la raza, color, origen nacional, sexo, edad, discapacidad/estado de la desventaja o de la renta con respecto a los programas o las actividades que reciben ayuda financiera federal del Departamento del Transporte de los Estados Unidos, administración federal de la carretera y/o la Administración Federal del Tránsito. Estas prohibiciones extienden a INDOT como recipiente directo de la ayuda financiera federal y a sus secundario-recipientes, consultores, y contratistas, si están financiadas federalmente o no.*

*INDOT también se requiere para poner en práctica medidas de asegurarse de que las personas con habilidad limitada de hablar inglés y las personas con discapacidades tienen acceso significativo a los servicios, las ventajas, e información de todos sus programas y actividades bajo Orden Ejecutiva 13166 y la Ley de los Americanos con Discapacidades de 1990, como enmendado.*

*A petición, la ayuda será proporcionada si usted es un individuo con una discapacidad o tiene habilidad limitado de hablar inglés. Las quejas también se pueden estar sometidas usando formatos alternativos, tales como disco de la computadora, cinta magnética para audio o Braille. Para los clientes del equipo telescritor, marque 711 para alcanzar el Servicio del Transmitir de Indiana (Indiana Relay Service).*

*Usted también tiene la derecha de someter una queja con otras agencias estatales o federales que proporcionan ayuda financiera federal a INDOT. Además, usted tiene una derecha de buscar consejos privados.*

*INDOT y sus secundario-recipientes, consultores, y contratistas están prohibidos de represalias contra cualquier individuo porque él o ella opuso una política o una práctica ilegal, sometió las cargas, atestiguadas, o participó en cualquier acción de la queja según el Título VI u otro autoridades de no discriminación.*

*Haga por favor una copia de su impreso de la queja para sus archivos personales. Envíe el impreso original de la queja junto con cualquier copia de los documentos o de los expedientes relevantes a su queja a la dirección arriba. No envíe la versión original de sus documentos acreditativos, ya que no serán vueltos.*

*Las quejas de la discriminación se deben estar sometido en menos de 180 días de la fecha del acto discriminatorio alegado. Si el acto alegado de la discriminación ocurrió hace más de 180 días, explique por favor su retrasa en someter esta queja.*

**\*\* Su queja no pueda procesese sin su firma.**

INFORMACIÓN DE RECLAMANTE		
Nombre <i>(primero, segundo, y apellido)</i>		
Dirección <i>(número y calle, ciudad, estado, y código de ZIP)</i>		
Número de teléfono en el hogar (    ) -	Número de teléfono en el trabajo (    ) -	Número de teléfono celular (    ) -

Nombre de reclamante	Fecha <i>(mes, día, año)</i>
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PERSON / AGENCY YOU BELIEVE DISCRIMINATED AGAINST YOU		
Nombre <i>(primero, segundo, y apellido)</i>	Título	
Nombre de compañía		
Dirección <i>(número y calle, ciudad, estado, y código de ZIP)</i>		
Número de teléfono en el hogar (    ) -	Número de teléfono en el trabajo (    ) -	Número de teléfono celular (    ) -
¿Cuándo fue el último acto discriminatorio alegado? <i>(mes, día, año)</i> _____		
<p><b>Las quejas de la discriminación se deben estar sometido en menos de 180 días de la fecha del acto discriminatorio alegado. Si el acto alegado de la discriminación ocurrió hace más de 180 días, explique por favor su retrasa en someter esta queja.</b></p>		
<p><b>La discriminación alegada estaba basado en:</b></p> <p> <input type="checkbox"/> Raza                      <input type="checkbox"/> Color                      <input type="checkbox"/> Edad                      <input type="checkbox"/> Género                      <input type="checkbox"/> Origen Nacional  <input type="checkbox"/> Discapacidad                      <input type="checkbox"/> Ascendencia                      <input type="checkbox"/> Represalia                      <input type="checkbox"/> Afiliación Religiosa </p>		
<p><b>Describe los actos alegados de discriminación.</b> <i>(Si es necesario, usa páginas adicionales.)</i></p>		

Nombre de reclamante	Fecha (mes, día, año)
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<b>Provea los nombres de individuos con información adicional con respecto a su queja:</b>		
Nombre de testigo 1 (primero, segundo, y apellido)	Título	
Nombre de compañía		
Dirección (número y calle, ciudad, estado, y código de ZIP)		
Número de teléfono en el hogar (    ) -	Número de teléfono en el trabajo (    ) -	Número de teléfono celular (    ) -
Incluya una descripción breve de la información pertinente que puede proporcionar el testigo para apoyar su queja de discriminación.		
Nombre de testigo 2 (primero, segundo, y apellido)	Título	
Nombre de compañía		
Dirección (número y calle, ciudad, estado, y código de ZIP)		
Número de teléfono en el hogar (    ) -	Número de teléfono en el trabajo (    ) -	Número de teléfono celular (    ) -
Incluya una descripción breve de la información pertinente que puede proporcionar el testigo para apoyar su queja de discriminación.		

Nombre de testigo 3 (primero, segundo, y apellido)	Título	
Nombre de compañía		
Dirección (número y calle, ciudad, estado, y código de ZIP)		
Número de teléfono en el hogar (    ) -	Número de teléfono en el trabajo (    ) -	Número de teléfono celular (    ) -

Incluya una descripción breve de la información pertinente que puede proporcionar el testigo para apoyar su queja de discriminación.	
¿Como quisiera Ud. esté resuelta su queja?	
Nombre de reclamante	Fecha (mes, día, año)

¿Había sometido una queja que alega la misma discriminación con otra agencia estatal o federal? <input type="checkbox"/> Sí <input type="checkbox"/> No	
Si sí, por favor proporcione la información siguiente a cada agencia:	
Nombre de agencia	Fecha de queja sometido (mes, día, año)
Número de caso asignado a su queja	Estado actual de su queja
¿Cómo aprendió Ud. de su derecha de someter una queja de discriminación con INDOT?	
Firma	Fecha firmado (mes, día, año)

# DOCUMENT TRANSLATION REQUEST FORM



## INDIANA DEPARTMENT OF TRANSPORTATION

### FORMULARIO DE SOLICITUD DE TRADUCCIÓN DE DOCUMENTO

**USO DEL FORMULARIO:** Este formulario debe usarse para solicitar la traducción de documentos/registros del Departamento de Transporte de Indiana (INDOT). El plazo para la realización de la traducción variará según la longitud del documento que se solicite. El INDOT aceptará las solicitudes de traducción razonables y la traducción de nuestros documentos importantes.

**TRANSMISIÓN:** Complete este formulario y envíelo por correo o correo electrónico a:

Rickie Clark, MBA Indiana Department of Transportation  
Office of Public Involvement/Communications  
100 North Senate Avenue, Room N642  
Indianápolis, Indiana 46204

Teléfono: (317) 232-6601 Correo electrónico: [rclark@indot.in.gov](mailto:rclark@indot.in.gov)

<b>Fecha:</b>	<b>Nombre de la persona que solicita la traducción:</b>	<b>Dirección de correo electrónico:</b>	<b>Número de teléfono:</b>
<b>Condado:</b>	<b>Dirección:</b>	<b>Ciudad/estado:</b>	<b>Código postal:</b>
¿A qué idioma solicita la traducción?: (Incluya el dialecto/la región específicos, si corresponde).			
Identifique los documentos cuya traducción solicita al INDOT: <i>Use el reverso de este formulario si se requiere información adicional.</i>			
<b>USO DE INDOT ÚNICAMENTE:</b>	<b>Fecha de recepción de la solicitud:</b>	<b>Recibida por:</b>	
<b>Páginas/costo:</b>	<b>Fecha proporcionada:</b>	<b>Recepción para registro por Coordinador de Título VI: (firmar)</b>	



# INDIANA DEPARTMENT OF TRANSPORTATION

## DOCUMENT TRANSLATION REQUEST FORM

**USE OF FORM:** This form should be used to request translation of INDOT documents / records. Translation time will vary depending on the length of the document you are requesting. INDOT will accommodate reasonable requests for translation and translation of our vital documents.

**TRANSMITTAL:** Please complete this form and deliver it by mail or e-mail to:

Rickie Clark, MBA Indiana Department of Transportation  
Office of Public Involvement / Communications  
100 North Senate Avenue, Room N642  
Indianapolis, Indiana 46204  
**Phone:** (317) 232-6601 **Email:** [reclark@indot.in.gov](mailto:reclark@indot.in.gov)

<b>Date:</b>	<b>Name of person requesting translation:</b>	<b>E-mail address:</b>	<b>Phone number:</b>
<b>County:</b>	<b>Street Address:</b>	<b>City / State:</b>	<b>Zip Code:</b>
<b>What language are you requesting translation into: (Please include specific dialect / region if applicable.)</b>			
<b>Please Identify the Documents you are requesting INDOT to translate:</b> <i>Please use the back of this form if additional information is required.</i>			
<b>INDOT USE ONLY:</b>	<b>Date Request Received:</b>	<b>Received by:</b>	
<b>Pages / Cost:</b>	<b>Date Provided:</b>	<b>Received for record by Title VI Coordinator: (sign)</b>	



## ROADWAY ASSET IMPROVEMENT SCHEDULE (COMPREHENSIVE)

Our comprehensive asset improvement schedule exists in its complete form as a database. Given the scope and size of INDOT's inventory, it would be impracticable to include a comprehensive copy of this database within this document. However, a comprehensive summary is included here. Inquiries related to our schedule or ADA assets may be made by contacting our INDOT customer service line at any time.

- Phone: 855-INDOT4U (463-6848)
- Website (Report A Concern, Request Information): [www.INDOT4U.com](http://www.INDOT4U.com)

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## PRIORITIZED PROJECT SCHEDULE (SHORT TERM DISTRICT PRIORITIES)

This section provides district by district proposed accessibility projects and / or other regularly scheduled projects likely to have a pedestrian component during the current plan cycle (2018-2021). This information will be updated on an annual basis.

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# CAWG CHARTER

INDIANA DEPARTMENT OF TRANSPORTATION  
AMENDED ADA ADVISORY WORKING GROUP CHARTER  
Effective January 1, 2017

**Authorization:**

The Americans with Disabilities Act (ADA) Community Advisory Working Group (CAWG) was created in 2012 pursuant to the Indiana Department of Transportation's (INDOT) ADA Self-Evaluation and Transition Plan and in accordance with the ADA, Section 504 of the Vocational Rehabilitation Act of 1973 (Section 504) and their related implementation regulations.

**Charter:**

INDOT recognizes the importance of proactively engaging the public in transportation planning and the removal of access barriers for persons with disabilities. INDOT created the CAWG Working Group to assist with the development, assessment and implementation of its ADA Self-Evaluation and Transition Plan.

Amendment of the Charter is necessary to achieve the goals set forth in INDOT's ADA Transition Plan as approved by the Federal Highway Administration (FHWA) in 2015. The goals include expanded and regionalized representation of the public for greater involvement and the formal recognition of the responsibilities of the CAWG Working Group to reflect a representative-led body which is assisted administratively by INDOT.

**Purpose:**

The CAWG Working Group serves as a voluntary body that provides input to INDOT regarding its ADA Self-Evaluation and Transition Plan as well as its ongoing efforts to improve the overall accessibility of INDOT programs and facilities.

**CAWG Working Group Membership Requirements:**

1. Application for membership is open to any individual who is a resident of Indiana and has demonstrated an interest in the disabled community. However, INDOT and the CAWG Working group will seek to include in its membership diverse representation, including a goal to seek representation that is geographically and experientially diverse and that demonstrates a genuine interest in the disabled community and INDOT programs.
2. The CAWG Working Group shall consist of no more than 15 individuals;
3. Membership shall strive to diversify its membership by seeking membership from no more than four individuals from each INDOT district;
4. The Chair shall select members of the CAWG Working Group.
5. Members shall serve a minimum term of two years and a maximum of two full two year consecutive terms;
6. Any member who has served two full two year consecutive terms and wishes to reapply may do so after a one-year leave of absence. During the leave of absence, the former member may continue to participate in an CAWG regional committee and attend meetings;
7. A member position shall be deemed vacant when:

- a. A member voluntarily resigns from the CAWG Working Group
  - b. Any person selected for membership who:
    - i. fails to attend more than three consecutive meetings and
    - ii. fails to communicate to the Chair the reason for the continued absence.
 may be deemed to have automatically and voluntarily vacated his or her membership.
8. Vacancies shall be filled in the following manner:
- a. The CAWG Working Group may solicit and select additional member(s) if the overall membership has fallen below the threshold of less than one member in each INDOT district.
  - b. Openings will be advertised and applications accepted from any qualified persons interested in membership in the working group. Qualifications for membership include
    - i. being a resident of Indiana
    - ii. who is at least 18 years of age, and
    - iii. who has demonstrated a genuine interest in the disabled community through personal or professional activities
    - iv. who seeks to serve the interests of the disabled community by providing and promoting public involvement related to improving public accessibility in Indiana communities and that of INDOT facilities and programs.
  - c. Current working group members may provide names of potential members to the Chair for consideration. Any candidate referred by a current CAWG Working Group member must follow the same application process as any other candidate.
9. At least one staff member of INDOT shall be in attendance during any meeting of the CAWG Working Group.

**Officers of the CAWG Working Group:**

- 1. Quorum – A quorum is required for the election of officers to the CAWG Working Group. A quorum shall consist of at least five voting (5) members of the CAWG Working Group representing two or more INDOT districts present.
- 2. Chairperson – The CAWG Working Group Members shall elect a Chairperson (“Chair”) as follows:
  - a. The CAWG Working Group shall elect a Chair at their first official meeting of the calendar year. The Chair shall serve a term of one year until the first official meeting of the next calendar year.
  - b. Responsibilities of the Chair of the CAWG Working Group include, but are not limited to the following:
    - 1. Communicate with INDOT’s Title VI/ADA Program Manager as necessary to coordinate the scheduling of meetings, maintain meeting minutes and other records;
    - 2. Attend and facilitate all CAWG Working Group meetings;
    - 3. Coordinate the development of the meeting agenda for each meeting including selection of topics for discussion and agenda items with input from both the CAWG Working Group Members and INDOT’s Title VI/ADA Program Manager;

Secretary – The CAWG Working Group Members may select a Secretary to take meeting minutes and / or assist the chairperson and committee members as desired.

**CAWG Working Group Member Responsibilities:**

The CAWG Working Group members serve as Liaisons between INDOT and the community by bringing issues raised by the community to the attention of the CAWG Working Group and INDOT. They may participate in the following tasks:

1. Review and provide input regarding INDOT’s ADA Self-Evaluation and Transition Plan; and discuss strategies to improve accessibility to INDOT’s programs and facilities
2. Recommend means and methods for INDOT to increase the public involvement of persons with disabilities in the transportation planning process.
3. Provide specific information, input and recommendations regarding community accessibility concerns as they relate to transportation projects and pedestrian facilities within INDOT’s jurisdiction.
4. Comply with and observe the Indiana Open Door Law and open all meetings to the public and observe the requirements and restrictions of the Indiana Open Door Law.
5. Members shall not:
  - A. Speak on behalf of the working group without the express written permission of the Chair and the INDOT ADA Program Manager.
  - B. Present or portray themselves as INDOT employees.
6. The CAWG may remove any member for behavior that negatively impacts the CAWG Working Group’s charter and purpose.

**INDOT’s Responsibilities:**

1. INDOT shall maintain ultimate authority and control over decisions regarding its ADA compliance efforts;
2. INDOT staff will assist the Chair and the CAWG Working Group in the planning and facilitation of meetings including posting meeting information in accordance with Indiana’s Open Door Law for all CAWG Working Group meetings;
3. INDOT may remove the chairperson at its discretion and the CAWG shall nominate and elect a replacement Chairperson at the next meeting;
4. INDOT shall Maintain minutes of all CAWG Working Group meetings and post them on INDOT’s website;
5. INDOT shall Make meeting minutes available for public inspection pursuant to Indiana’s open records requirements;
6. INDOT will consider the CAWG Working Group’s recommendations in regard to updating INDOT’s ADA Self-Evaluation and Transition Plan.

**Cancellation Policy:**

1. The Chair and / or INDOT ADA Program Manager may elect to cancel a meeting of the CAWG Working Group when three or fewer members have confirmed they plan to attend or when weather related or emergency conditions arise.
2. INDOT may cancel or postpones a meeting based upon other program requirements or to reconvene the meeting at a time better suited to INDOT’s needs.

### **CAWG Regional Committees**

The primary purpose of the CAWG Working Group is to facilitate public involvement and participation in its policies and programs as they relate to the disabled community and specifically, its ADA Transition Plan.

To better achieve this goal and to further expand its community-level involvement, INDOT has determined with input from the CAWG Working Group that Regional Committees will be created in each INDOT district to provide input to CAWG Working Group Members and INDOT regarding their communities and INDOT programs.

1. The formation of Regional Committees shall proceed on a trial basis from 2017 – 2019 whereby its effectiveness shall be evaluated by the CAWG Working Group and INDOT. At the last CAWG Working Group meeting in 2018, a vote shall be taken to determine whether or not the Regional Committees should continue for an additional two year period or be dissolved.
2. Regional Committee membership shall be extended to all applicants for membership not selected to be a member of the CAWG Working Group. These individuals will be assigned to the Regional Committee where they reside if they accept the invitation of the CAWG Working Group to participate on a Regional Committee.
3. Participation on CAWG Regional Committees shall remain open to the public and all who attend may offer input.
4. The CAWG Working Group shall designate at least one representative for each district who will facilitate at least one Regional Committee meeting per calendar year in their district. INDOT representatives may facilitate regional meetings where CAWG members are unable to do so.
5. Regional Committee Meetings shall be called, noticed, held and conducted in accordance with the Indiana Open Doors Law with at least one CAWG Working Group member and / or INDOT staff member facilitating the Regional Committee Meeting and ensuring minutes are taken and provided to the CAWG Working Group Secretary for each meeting held. INDOT attendance shall not be required for the meeting to be held.
6. INDOT shall maintain minutes of all Regional Committee meetings and post them on INDOT's website ;
7. Regional Committee Meeting Agendas shall be uniform unless a special regional need exists and shall be drafted and approved by the CAWG Working Group prior to any Regional Committee Meetings being held;
8. When Regional Committees are established and operational, the presentation of minutes and comments from Regional Committee Meeting Representatives shall be an automatic Agenda Item at each CAWG Working Group Meeting.

### **Termination**

The CAWG Working Group and Regional Committees shall remain in existence until terminated by INDOT or until a majority of a regional committee determine they can no longer meet and provide services to INDOT.

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# INDOT Complete Streets Guideline & Policy

## INTRODUCTION

The Complete Streets guidelines build upon multiple efforts and promotes a multimodal transportation system that is integrated and sustains land use developments. The main objective is to design and build roads that safely and comfortably accommodate all users of the roadways, including motorists, cyclists, pedestrians, transit, and freight, benefiting people of all ages and abilities, as well as promoting Americans with Disabilities Act (ADA) acceptable provisions.

*It should be noted that the Complete Streets Policy is not a funding program but rather a policy to guide planners, designers and engineers on how to implement Complete Streets Initiatives. It is desirable for implementations and strategies to be identified and addressed as early as possible, such as during the call for projects, but no later than Stage 1 Design. Projects currently under bid review or advertised for construction are not required to address Complete Streets implementations.*

## GOALS

Building Complete Streets will provide many benefits to residents, business owners, developers, and the community in its entirety. Most importantly, embracing the Complete Streets concepts will create a balanced transportation system by providing safe, accessible, and efficient connections between destinations, bolstering economic growth and stability, as well as increasing property values.

Complete Streets will enhance job growth, reduce crashes through safety improvements, improve public health and fitness, reduce harmful emissions, and reduce the overall demand on our roadways by allowing people to replace motor vehicle trips with multiple transportation options. Additionally, integrating sidewalks, bike facilities, transit amenities, and/or safe crossings into the initial design of a project spares the expense and complications of later retrofits.

INDOT will partner with Metropolitan Planning Organizations (MPOs), Rural Planning Organizations (RPOs), INDOT District Offices, transit agencies, local municipalities, FHWA, FTA, local elected officials, stakeholders, and special interest groups to:

- Identify opportunities to promote and provide safe and convenient access and travel for all users of the transportation network while reducing crash rates and the severity of crashes.
- Improve mobility and accessibility of all individuals including those with disabilities in accordance with legal requirements of the ADA.

- Safely integrate intermodal connections across the transportation network to **maximize the efficient use of existing transportation facilities.**
- Encourage mode shift to non-motorized transportation and transit in appropriate situations.
- Ensure early coordination during project scoping to identify and document how a reconstruction or new construction project will **impact bicyclists, pedestrians and transit riders of all ages and abilities and potential actions or strategies to address them.**
- Offer internal and external training opportunities and other resource tools in the areas of: **planning, engineering, environmental services, resource centers, education, encouragement, and evaluation to groups: the state legislature, local elected officials, and local citizens.**

## DESIGN COMPONENTS

Complete Streets are designed and operated to enable safe access for all users. While there is no set formula for a complete street, it will typically have some or all of the following elements:

- Sidewalks & crosswalks
- Bike or shared lanes
- Wide shoulders
- Refuge medians
- Bus Pullouts
- Raised crosswalks
- Audible pedestrian signals
- Pedestrian countdown signals
- Sidewalk bump-outs
- Bus pull-off lanes
- Bus priority signals
- Transit stop accommodation
- Road Diets
- Access Management
- Roundabout Intersections
- Traffic calming strategies
- On-street parking

Planners, Engineers, and Designers must be careful not to sacrifice pedestrian safety when designing a roadway.

## IMPLEMENTATION STRATEGIES

Implementation of Complete Streets on state jurisdictional facilities (US Roadway and State Routes) and recommendations on non-state, federal aid routes will follow a phased and sequential approach of establishing need, developing policy, and reconciling differences in the planning, design policies, guidelines, and manuals:

- Provide broad general guidelines for Complete Streets consideration in project development and design as part of the agency's Open Roads (Practical Design) process.
- "One size fits all" design or designs based on functional roadway classification do not work. Complete Streets design needs to be based on context and need and requires a flexible design process. INDOT will ensure improvements comply with Title VI/Environmental Justice, Americans with Disabilities Act (ADA) and should complement the context of the surrounding community. Facilities will be designed and constructed in accordance with current applicable laws and regulations, using best practices and guidance from the following, but not limited to: INDOT guidelines and manuals, American Association of State Highway and Transportation Officials (AASHTO) publications, Institute of Transportation Engineers (ITE) publications, the Manual on Uniform Traffic Control Devices (MUTCD), the Americans with Disabilities Act Accessibility Guidelines (ADAAG), the Public Rights-of-Way Accessibility Guidelines (PROWAG), and National Association of City Transportation Officials (NACTO) Guidelines.
- In certain situations (low volume, rural, or low speed roadways) having vehicles and bicycles pedestrians share the travel lane *may be appropriate* and considered a reasonable integration of their needs.
- INDOT will monitor and report measures such as: rate of crashes, injuries and fatalities by mode, linear feet of sidewalks added or reconstructed, miles of shared lanes, number of crosswalk and intersection improvements, and work with Indiana State Department of Health in monitoring mode share shifts.

## Exemptions to Implementation

- Limited or full access control facilities, where bicyclists, pedestrians, and other non-motorized forms of transportation are prohibited by law from using the roadway.
  - Safety impacts outweighs the proposed benefit of implementing identified Complete Street element or component.
  - If the cost of providing bicycle and pedestrian features is ten percent (10%) of the cost of the total project, it would be determined to be excessively disproportionate to the need or probable use..
  - Scarcity of population, travel and destinations, both existing and planned, demonstrate an absence of current and future need. For example, in rural or undeveloped areas where future development is not anticipated, sidewalks and designated bikeways will generally not be provided.
  - Maintenance for sidewalks and bicycle paths outside the limits of the curb or shoulder will be the responsibility of the local jurisdiction. Maintenance agreements will be required as a provision of the entire project.

All exemptions will be documented and discussed with the MPO and/or local jurisdiction. If MPO or local jurisdiction is not in agreement with the exemption, they can introduce a formal appeal by means of a resolution adopted by their local governing body or board. The resolution must be

submitted to the assigned Project Manager for review and consideration prior to the final design approval.

## OPERATIONS & MAINTENANCE CONSIDERATIONS

- Designers will work with maintenance staff during development to ensure that maintenance and functionality are balanced.
- Recommendations should include applications for new as well as rehabilitation projects using accepted design standards specific to area need.
- Documentation of the level of maintenance needed by mode (examples: sweeping, snow removal, and signage), identify required funding, roles for operations & maintenance of the completed facility, and legal agreements.
- Traffic calming elements and public amenities such as landscaping, trees, bike racks, benches, trash collector sights, decorative lamp posts, decorative/welcome signage, use of bricks or pavers for crossings & sidewalks, and water stations beyond standard design amenities should be considered if appropriate, can safely be included, and local/specialized funding sources are available and/or maintenance agreements have been signed.

## RECOMMENDATIONS

Local Governments are encouraged to adopt their own Complete Streets policies, consistent with regional policy and federal and state design standards.

- INDOT should review and revise conflicting information in the Indiana Design Manual.
- Consideration of Complete Streets concepts in a project should be included in the scoping phase of the project.
- INDOT will serve as a resource to assist local agencies in developing their own Complete Streets Policies by making available its support and expertise in CSS, ADA, and Design.
- Project design should include accommodation for all users and be sensitive to the context of the setting of the project. It is important to note that Complete Streets may and will look different for every project and road type.
  - In rural areas, wide lanes, shoulders, and/or sharrow signage may be sufficient.
  - In urban areas, sidewalks will be required and/or bicycle accommodation if such accommodation can be reasonably incorporated within existing right of way on major reconstruction and new construction projects.
  - For repaving or re-striping projects with no additional right of way, options of bike lanes, sharrows, and pedestrian crosswalks should be considered and implemented.
- A systems approach should be used in developing roadway projects, especially to ensure coordination and connectivity between contiguous jurisdictions.
- If there is another project planned or being developed nearby, both projects should be coordinated to ensure consistency in the facilities serving the corridor.
- If the project serves a destination point, (i.e.: school, recreational facility, shopping center, hospital, or office complex) an opportunity for the destination to have access to the project facilities should be extended.
- Each local agency should update its design standards on a periodic basis and train its staff on the updates.

## POLICY & GUIDELINE ADOPTION

This policy and guidelines will be available on the INDOT website for easy access and improved understanding by our customers and partners. This policy will be continuously updated when necessary to further implement the goals of this policy.

Date: \_\_\_\_\_

Karl B. Browning

INDOT Commissioner or Designee Version 9/5/2014 5

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## BUS STOP & TRANSIT ACCESSIBILITY OVERSIGHT & SELF-EVALUATION

In March 2018, INDOT reached out to the Metropolitan Planning Organizations (MPOs) across the State of Indiana to inquire about the existence and data integrity related to self-evaluations of bus stops by municipalities with fixed route transit systems across the State. FHWA requires INDOT to obtain this information and to reflect bus stop accessibility in its ADA transition plan. Initial discussion revealed that often the City owns the real estate and right-of-way where bus stops are located and controls the sidewalks and travel route to the bus stop. Operators may have installed bus stop signs, shelters, benches and tertiary features such as waste receptacles. It appears the city's role in maintaining the facilities varies from municipality to municipality. Often the city remains responsible for maintaining the route to the stop and concrete pads at the bus stop while the operator maintains the shelters and signage.

INDOT is collaborating with the MPOs to determine how these arrangements are assigned for each transit provider and to determine if self-inventories exist and what work cities, town and operators are doing to conduct prioritized removal of barriers to accessibility. Once this information is obtained, INDOT will spend 18 months collaborating with MPOs to ensure there is an inventory (self-evaluation) of bus stops and prioritization schedule for each fixed route transit operator with bus stops across the State of Indiana. As that information is gathered and developed, it will be summarized here with information provided for the reader to locate specific information for locations local to and of interest to them.