

STATE OF TENNESSEE

# DEPARTMENT OF TRANSPORTATION

**Long Range Planning Division**

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**CLAY BRIGHT BILL LEE**

 COMMISSIONER GOVERNOR

**MEMORANDUM**

**DATE:** 09/19/2019

**TO:** Planning Organizations

**FROM:** Nancy Hirsch, TDOT LRP, Senior Planner

**RE: Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan**

As the recipient of federal-aid transportation funds for the State of Tennessee, the Tennessee Department of Transportation (TDOT) is responsible for ensuring agencies that receive federal-aid funds are in accordance with applicable federal and state laws and regulations. TDOT is not relieved of this responsibility when it designates a city, county, etc. to administer federal-aid funds for projects or a phase of a project.

The US DOT has delegated to the Federal Highway Administration (FHWA) the responsibility to ensure ADA compliance in the public right-of-way and on projects using surface transportation funds.

In accordance with this requirement, TDOT in coordination with the FHWA is tasked with ensuring that sub-recipients have completed their ADA Transition Plans. In order to finalize this task, the department is coordinating with RPOs and MPOs to develop a database that documents the critical attributes of a typical transition plan completed by their members. TDOT’s task is to document that local agencies have fully completed and publicly posted their Transition Plans. Since the Department will not be performing a detailed review and certification of final transition plans; agencies will be required to self-certify their plans. Self-certification forms (located on the TDOT ADA webpage) should be collected by the Planning Organizations and provided to TDOT Long Range Planning Division, Office of Community Transportation (OCT) to ensure their members are in compliance with Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. **The deadline for receipt of the** [**self-certification form**](https://www.tn.gov/content/dam/tn/tdot/roadway-design/documents/ada/Local%20Agency%20ADA-Self%20Certification%20Form.pdf) **is December 31, 2019.**

It is important that sub-recipients, without a complete plan, demonstrate their progress and provide a projected completion date to TDOT. At a minimum, the Department expects to receive contact information of responsible official in charge of implementing the Transition Plan (TP), the ADA Coordinator, and publicly available grievance procedure from all sub-recipients. Planning Organizations should collect annual updates to transition plans documenting the barriers that have been removed, or any changes to proposed timeline or transition plan. By the end of every year, annual updates should be transmitted to OCT with an updated priority list for the Department to maintain and share progress with FHWA, US DOT, and DOJ.

Address to transmit Transition Plans:

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Long Range Planning Division, Office of Community Transportation

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cc: Mr. Paul D. Degges

 Mr. Toks Omishakin

 Mr. Jeff Jones

 Ms. Jennifer Lloyd

 Mr. Kwabena Aboagye