



Tennessee Department of Transportation

ADA Self-Evaluation & Transition Plan



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Abbreviations

ABA – Architectural Barriers Act

ADA – Americans with Disabilities Act

ADAAG – Americans with Disabilities Act Accessibility Guidelines

CFR – Code of Federal Regulations

DOJ – United States Department of Justice

DOT – United States Department of Transportation

EIT – Electronic and Information Technologies

FHWA – Federal Highway Administration

FTA – Federal Transit Administration

IB – Instructional Bulletin

LPA – Local Public Agency

MPO – Metropolitan Planning Organization

MUTCD – Manual on Uniform Traffic Control Devices for Streets and Highways

PDN – Project Delivery Network

PROWAG – Public Rights-of-Way Accessibility Guidelines

RPO – Rural Planning Organization

STIP – Statewide Transportation Improvement Program

TDOT – Tennessee Department of Transportation

TCA – Tennessee Code Annotated

TMC – Transportation Management Center

TTY – Teletypewriter

WCAG – Web Content Accessibility Guidelines

1.0 Introduction

1.1 Legislative Mandate

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, government services, public transportation, public accommodations, and telecommunications. There are five titles of the ADA, including:

- Title I: Employment
- Title II: State and Local Government
- Title III: Public Accommodations and Commercial Facilities
- Title IV: Telecommunications Relay Services
- Title V: Miscellaneous Provisions

The Tennessee Department of Transportation (TDOT) is obligated to observe all requirements of Title I in its employment practices; Title II in its policies practices, services, programs, and activities; and any parts of Titles IV and V that may apply to TDOT. Title III only covers businesses and non-profit service providers and is not applicable to TDOT.

Title IV of the ADA requires that telephone companies provide telecommunication relay services that allow individuals with hearing or speech impairments to communicate using a teletypewriter (TTY) or another non-voice device. It also requires that all television public service announcements produced or funded in whole or in part by the federal government include closed captioning. Title IV would not apply to TDOT unless they are receiving funds from the federal government for television service announcements.

Title V is a miscellaneous section. It includes provisions that do not allow the ADA to invalidate or override other laws (federal, state, and local) to provide equal or greater protections or remedies for people with disabilities. It includes exclusions of conditions from the definition of accessibility. Title V also includes protection of individuals from retaliation, intimidation, coercion, threats, or interference with people who seek to exercise their rights, or who encourage or aid others to do so, is prohibited.

This document addresses the requirements of Title II of the ADA.

1.2 Purpose of a Transition Plan

According to the United States Census Bureau, more than 44 million Americans (about 13% of our population) have disabilities and they, like all Americans, participate in a variety of programs, services, and activities provided by their state and local governments. This includes people who became disabled while serving in the military. By the year 2030, approximately 67 million baby boomers will be over age 65 and will need services and surroundings that meet their age-related physical needs.

An ADA Transition Plan identifies barriers to access in programs, services, and activities. The goal is for TDOT to provide equivalent access to the maximum extent feasible.

1.3 ADA Self-Evaluation and Transition Plan Development Requirements and Process

Title II requires the operation of each service, program, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities.¹ It is firmly stated that no qualified individual with a disability

may be excluded from participating in, or denied the benefits of, the services, programs, or activities provided by a public entity because of a disability.²

Included in Title II are administrative requirements for all government entities employing more than 50 people. These administrative requirements are:

1. To notify applicants, participants, beneficiaries, and other interested people of their rights and the public entity's obligations under Title II;³
2. To designate a responsible employee (ADA Coordinator) to coordinate its efforts to comply with and carry out the public entity's ADA responsibilities;⁴
3. To establish a grievance procedure for resolving complaints related to Title II;⁵
4. To conduct a self-evaluation;⁶
 - A self-evaluation is an assessment of the public entity's services, programs, and activities and the policies and practices that govern the administration of them. This can include laws, ordinances, regulations, and manuals. The goal is to determine if the policies and practices adversely affect full participation of individuals with disabilities.
5. To develop a transition plan;⁷
 - If structural changes to facilities will be undertaken to achieve program accessibility, a Transition Plan setting forth the steps necessary to complete such changes must be developed.

The plan will, at a minimum --

- a) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities
- b) Describe in detail the methods that will be used to make the facilities accessible.
- c) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period.

1.4 Elements of a Transition Plan

The Federal Highway Administration (FHWA) has provided guidance on the ADA Transition Plan process in their "INFORMATION: ADA Transition Plans" memo dated June 27, 2019, which specifically addresses State Departments of Transportation. A copy of the memo is available on the FHWA website: <https://highways.dot.gov/civil-rights/programs/ada/ada-transition-plans-memoranda>. Referenced in the memo is a "State DOT Transition Plan Attribute Review Guide (Review Guide)" that provides a checklist of elements to be included in an ADA Transition Plan and other ADA requirements that agencies must fulfill. A copy of the Review Guide is available on the FHWA website: <https://highways.dot.gov/civil-rights/programs/ada/resources>.

¹ 28 C.F.R. §§ 35.149-150

² 42 U.S.C. § 12132; 42 U.S.C § 12102(2)(B) & (C)

³ 28 C.F.R. § 35.106

⁴ 28 C.F.R. § 35.107(a)

⁵ 28 C.F.R. § 35.107(b)

⁶ 28 C.F.R. § 35.105

⁷ 28 C.F.R. § 35.150

Items included in the Review Guide are:

Responsible Official

Per 28 CFR 35.150(d)(3)(iv), TDOT must identify an official responsible for implementation of the ADA Transition Plan (i.e., Executive Director, Secretary, Commissioner, Chief Engineer, etc.).

Inventory of Barriers

Per CFR 35.150(d)(3)(i) and 28 CFR 35.105(a), TDOT must demonstrate good faith by identifying intersection information, including curb ramps and other associated accessibility elements, as a starting point and showing movement and commitment toward developing a full inventory.

TDOT must create an Action Plan to develop an inventory of sidewalks (slopes, obstructions, protruding objects, changes in level, etc.), signals (including accessible pedestrian signals), bus stops (bus pads), buildings, parking, rest areas (tourist areas, picnic areas, visitor centers, etc.), mixed use trails (greenways), and linkages to transit.

Prioritized Schedule

Per 28 CFR 35.105(d)(2), TDOT must show a strong commitment toward upgrading ADA elements identified in the inventory of barriers in the short-term (planned capital improvement projects) and show a strong commitment over time toward prioritizing curb ramps at walkways serving entities covered by the ADA.

Per 28 CFR 35.105(d)(3), the schedule will include prioritization information, planning, and investments directed at eliminating other identified barriers over time.

As a best practice, TDOT should dedicate resources to eliminate identified ADA deficiencies.

Implementation Methods

Per 28 CFR 35.150(d)(3)(ii), TDOT will describe in detail the methods that will be used to make the facilities accessible and, as a best practice, include the governing standard.

2010 ADA Standards

If the start date for construction is on or after March 15, 2012, all newly constructed or altered state and local government facilities will comply with the 2010 ADA Standards. Before that date, the 1991 Standards (without the elevator exemption), the Uniform Federal Accessibility Guidelines, or the 2010 ADA Standards may be used for such projects when the start of construction commences on or after September 15, 2010.

The 2010 ADA Standards, which set the minimum requirements – both scoping and technical – for newly designed and constructed or altered state and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. It is effectuated from 28 CFR 35.151 and the 2004 Americans with Disabilities Act Accessibility Guidelines (ADAAG).

The DOJ's revised regulations for Titles II and III of the ADA were published in the Federal Register on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards. On March 15, 2012, compliance with the 2010 Standards was required for new construction and alterations under Titles II and III. March 15, 2012, is also the compliance date for using the 2010 ADA Standards for program accessibility and barrier removal.

Public Rights-of-Way Accessibility Guidelines (PROWAG)

The U.S. Access Board recently published new guidelines under the ADA and the Architectural Barriers Act (ABA) that address access to sidewalks and streets, crosswalks, curb ramps, pedestrian signals, on-street parking, and other components of public rights-of-way. These guidelines also review shared use paths, which are designed primarily for use by bicyclists and pedestrians for transportation and recreation purposes. PROWAG provides minimum guidelines for the accessibility of pedestrian facilities in the public rights-of-way. When these guidelines are adopted, with or without modifications, as accessibility standards in regulations issued by other federal agencies implementing the ADA, Section 504 of the Rehabilitation Act, and the ABA, compliance with those enforceable accessibility standards is mandatory. The final rule was published on August 8, 2023, and became effective on September 7, 2023. PROWAG is the recommended best practice and can be considered the state of the practice that could be followed for areas not fully addressed by the 2010 ADA Standards.

Until the U.S. Department of Transportation (DOT) and DOJ adopt accessibility standards for pedestrian facilities in the public right-of-way, public entities have some degree of flexibility in determining how they will comply with the general obligation under Title II of the ADA (to operate each service, program, or activity so that it is “readily accessible and useable by” individuals with disabilities). Public entities are not required to adopt the Final PROWAG at this time but may turn to different resources for guidance (e.g., Final PROWAG, DOJ’s 2010 ADA Standards for buildings and sites, and other accessibility resources). TDOT adopted 2011 Proposed PROWAG on November 7, 2014, as its standard for the design and construction of pedestrian facilities within the public rights-of-way. In doing so, 2011 Proposed PROWAG is an enforceable standard for all TDOT funded and/or local government projects constructed within TDOT rights-of-way, regardless of its adoption status at the federal level.

When DOT undertakes its own rulemaking to adopt PROWAG as enforceable standards, DOT will determine how to ensure that there is no “conflict” within its own regulations (i.e., no inconsistencies between the adopted public rights-of-way accessibility standards and the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).

Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)

The MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all streets, highways, pedestrian and bicycle facilities, and site roadways open to public travel. The MUTCD is published by the FHWA under 23 CFR, Part 655, Subpart F and is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. It is updated periodically to accommodate the nation’s changing transportation needs and address new safety technologies, traffic control tools, and traffic management techniques. On December 19, 2023, a Final Rule adopting the 11th Edition of the MUTCD was published in the Federal Register with an effective date of January 18, 2024.

1.5 Definitions

The following is a summary of many definitions found in the ADA. Please refer to the ADA for the full text of definitions and explanations.

Disability

The term disability means, with respect to an individual:

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual.
- A record of such impairment.
- Being regarded as having such impairment.

Qualified Individual with a Disability

A qualified individual with a disability means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by TDOT.

Discrimination on the Basis of Disability

Discrimination on the basis of disability means to:

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability.
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability.
- Participate in a contract that could subject a qualified citizen with a disability to discrimination.
- Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability.
- Deny equal benefits because of a disability.
- Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on TDOT's operations.
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public.
- Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

Complaint

A complaint, also referred to as a grievance, is a claimed violation of the ADA.

Substantial Limitation of Major Life Activities

An individual is disabled if she or he has a physical or mental impairment that (a) renders her or him unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to other people.

Major life activities are functions such as walking, seeing, hearing, speaking, breathing, learning, performing manual tasks, or caring for oneself.

In determining whether physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

- The nature and severity of the impairment.
- The duration or expected duration of the impairment.
- The permanent or long-term impact (or expected impact) of or resulting from the impairment.

Having a Record of Impairment

An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity or has been diagnosed, correctly or incorrectly, as having such impairment.

Regarded as Having a Disability

An individual is disabled if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

Reasonable Program Modifications

If the individuals' disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable these individuals to perform the essential functions of the program or activity.

Reasonable program modification is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity.
- To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity.
- That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

A modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

A modification applies to known disabilities only. A modification is not required if it changes the essential nature of a program or activity of the person with a disability, it creates a hazardous situation, adjustments or modifications requested are primarily for the personal benefit of the individual with a disability, or it poses an undue burden on TDOT.

Auxiliary Aids and Services

The term auxiliary aids and services include:

- Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments.
- Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments.
- Acquisition or modification of equipment or devices.
- Other similar services and actions.

1.6 Discrimination and Accessibility

1.6.1 ADA Title II Disability Discrimination Policy

Program accessibility means that, when viewed in its entirety, each program is readily accessible to and usable by individuals with disabilities. Program accessibility is necessary not only for individuals with mobility needs but also for individuals with sensory and cognitive disabilities.

Accessibility applies to all aspects of a program or service, including but not limited to physical access, advertisement, orientation, eligibility, participation, testing or evaluation, provision of auxiliary aids, transportation, policies, and communication.

The following are examples of elements that should be evaluated for barriers to accessibility:

Elements with Potential Barriers

- Building signage
- Customer communication and interaction
- Sidewalks or curb ramps
- Emergency notifications, alarms, and visible signals
- Participation opportunities for TDOT-sponsored events
- Parking
- Path of travel to, throughout, and between buildings and amenities
- Doors
- Service counters
- Restrooms
- Drinking fountains
- Path of travel along sidewalk corridors within the public right-of-way
- Access to pedestrian equipment at signalized intersections

1.6.2 TDOT's Compliance History

In 1993, TDOT prepared an ADA Transition Plan. Like many state departments of transportation across the country, having little guidance at the federal level, little was completed with the plan, and little of the plan could be found in 2000.

With this scattered information, TDOT decided to re-inventory all policies, procedures, and facilities. In 2000, a full-time ADA Coordinator was named, and by 2003, TDOT had removed all barriers identified to date. During that time, over 200 TDOT employees were trained in ADA compliance. It should be noted that while all sidewalks in Tennessee are the responsibility of the local jurisdictions by state statute, TDOT began a curb ramp replacement program through resurfacing projects in 2007.

Any new construction of buildings or roadways was built in compliance with the current ADA standards. TDOT has incorporated accessibility into everything it does; compliance is the normal course of business. Although TDOT has a dedicated full-time ADA Coordinator, all TDOT staff are required to ensure full ADA compliance on every project.

Under Tennessee Code Annotated (TCA) 7-31-114, "Every incorporated city and town shall install ramps at crosswalks, in both business and residential areas, when making new installations of sidewalks, curbs or gutters, or improving or replacing existing sidewalks, curbs or gutters, to make the transition from street to sidewalk easily negotiable for persons with disabilities in wheelchairs and for other persons who may have difficulty in making the required step up or down from curb level to street level." This state law also requires these ramps to be built with

design specifications prepared by TDOT. These standard drawings are available on TDOT's website, and all TDOT-funded projects are reviewed by this same set of standards. TDOT has a dedicated engineering staff that ensures these standard drawings are in full compliance with the current ADA standards and PROWAG. These standards ensure not only compliance but consistency across the state of Tennessee.

In 2015, TDOT began a full rewrite of the Transition Plan. With the involvement of the disability community, TDOT reviewed all policies, procedures, and facilities. This included everything from rest areas to TDOT's website. In this same time, over 400 employees received ADA training, and more training is scheduled. TDOT also offered training for our sub-recipients on how to develop their transition plans. This training was provided in response to FHWA's request to have all qualifying TDOT sub-recipients complete their Transition Plans by December 2019.

In 2018, TDOT completed an inventory of curb ramps adjacent to state roadways. Under TCA 54-5-202, the curb ramps are the responsibility of the local governments; however, TDOT is committed to full accessibility for everyone. This inventory will help TDOT see where we can help the local governments by ensuring curb ramps are correctly installed.

In 2024, TDOT completed an update to the Transition Plan to reflect updates to programs, policies, procedures, and facilities since 2019. The update also identified outstanding and additional action items to be completed with respect to the review and update of policies and procedures. The 2019 ADA Self-Evaluation and Transition Plan provides details of the evaluations completed at that time and will remain on the TDOT website for reference.

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2.0 Self-Evaluation

This Transition Plan reflects the results of a comprehensive Self-Evaluation of the buildings, facilities, programs, policies, and procedures that are under the jurisdiction of TDOT, which, through its functions, provides these programs and services to the public. The Self-Evaluation identified both programmatic and architectural barriers to persons with disabilities interested in accessing the TDOT's programs, services, and activities.

2.1 Programs, Policies, and Procedures Review

In 2015, the ADA Coordinator and Consultant Team met with each TDOT division leader to review programs, policies, and procedures for compliance accessibility. All items of concern identified at the time of review have been addressed.

The following TDOT programs, policies, and procedures were reviewed:

- Title II Grievance Procedure, Complaint Form, and Appeals Process
- Notice under the ADA
- Roadway Design Guidelines
- Detectable Warning Surfaces on Curb Ramps
- Standard Drawings Library
- Construction Guidelines
- Construction Phase Overview
- Reasonable Accommodation Request Procedure
- Adopt-A-Highway
- ADA Checklist
- Section 508 of the Rehabilitation Act
- Land Leases

2.1.1 Division Questionnaires

To aid in the evaluation process, questionnaires were developed for each TDOT division. Division representatives were tasked with providing in-depth responses to the questions so that areas of strength or areas that may need improvement could be identified. Once the questionnaires were completed, the Consultant Team gathered and reviewed all responses and developed an extensive, detailed questionnaire summary. This summary provided a list of questions that the Consultant Team believed needed more detail and attention. Once the list was compiled, interviews via phone and email were conducted. Adequate responses were obtained and used to help with the evaluation process for all programs, services, and activities. Copies of the completed questionnaires are on file in the TDOT ADA Office and are available for public review upon request.

Division Questionnaires: Self-Evaluation Observations

- Most division contacts were not aware of the TDOT-specific ADA obligations.
- Most division contacts were not aware of TDOT's current ADA grievance process. However, those who were aware stated that it is public knowledge and posted on the website and bulletin boards.
- Most division contacts were not aware of TDOT's current reasonable modification policy/procedure; however, most contacts were aware of the internal policy on how to request an interpreter when needed.

- Most division contacts were not aware of the process of obtaining alternate formats of TDOT documents. However, most contacts stated that all TDOT documents are available on the website and are ADA compliant.
- Most division contacts were not aware of TDOT's notice of non-discrimination or how to access it. However, Community Relations stated they were fully aware of this statement and provide it on each hearing/public meeting notice.
- Most division contacts were not aware if the buildings TDOT occupies are leased/owned/borrowed. If the contact was aware of the building's ownership status, copies of applicable documents were unavailable.
- All divisions currently have an ADA Liaison. However, training is not something that is a current practice.
- Most divisions currently have publications. Contacts were asked if these are published in a format usable by all employees and the public (e.g., YouTube website and advertising). The consensus was that TDOT uses the functions that are available on YouTube (closed captioning) and the website content managing system. Publications and advertising can be made "usable" upon request.
- Most divisions do not have separate programs, services, or activities for persons with disabilities. If separate programs, services, and activities are offered by a division, they are optional, offered to everyone, and there is no fee required to participate.
- Most divisions do not perform regular routine maintenance on ADA elements for TDOT. However, in the event maintenance is required, contracts are in place for service providers and vendors.
- Some division contacts consider the current TDOT website to be ADA compliant. However, others state it is a work in progress.
- Most division contacts consider their division's programs, services, and activities to be accessible and in compliance with the ADA.
- All division contacts stated that they are not aware of any ADA complaints in the last five (5) years.

Division Questionnaires: Recommendations

All recommendations associated with the division questionnaires are incorporated into **Sections 2.1.2 – 2.1.12.4**, as applicable to each TDOT program, policy, and procedure.

2.1.2 Title II Grievance Procedure, Complaint Form, and Appeals Process

In 2017, the TDOT Disability Discrimination Policy (Policy Number: 230-15, Effective October 24, 2005) was reviewed, which only addresses ADA Title I. Accordingly, TDOT developed the following documents to specifically address ADA Title II, which are posted on the TDOT website:

- [TDOT ADA Title II Grievance Procedure](#) (dated March 2024)
- [TDOT ADA Title II/Section 504 Complaint Form](#) (dated December 2020)
- [TDOT ADA Title II Disability Discrimination Policy Document](#) (dated March 2024)
- [TDOT ADA Title II Disability Discrimination Policy Poster](#) (dated March 2024)
- [TDOT ADA Title II Grievance Procedure Flow Chart](#) (dated February 2022)

If TDOT's response to an ADA Title II complaint does not satisfactorily resolve the issue for the complainant, an appeal can be filed, and the complaint will be re-evaluated. The [TDOT ADA Title II Appeals Process](#) (not dated) is provided on the TDOT website.

2.1.3 Notice under the ADA

The Notice under the ADA provides information to the public regarding Title II of the ADA and how it applies to TDOT programs, services, and activities. Publishing and publicizing the ADA Notice is not a one-time requirement. TDOT strives to provide this information on an ongoing basis and whenever necessary. The TDOT Notice under the ADA will be made available in alternate formats upon request.

In 2017, the then-current TDOT *ADA Notice of Requirements* and *Sample Notice* were reviewed, which only referenced ADA Title I. Accordingly, TDOT developed a Notice specifically for the public, which is posted on the TDOT website: [TDOT Notice under the Americans with Disabilities Act](#) (dated March 2024).

2.1.4 Roadway Design Guidelines

The TDOT Roadway Design Guidelines are developed by the Engineering Division to ensure that there is consistency in TDOT projects across the state. The Roadway Design Guidelines indicate the current recognized design standards for new construction or reconstruction of existing highways. In 2017, the then-current TDOT Roadway Design Guidelines (dated May 15, 2017) were reviewed for consistency with the 2010 ADA Standards and 2011 proposed PROWAG.

In 2022 and 2023, TDOT updated the Roadway Design Guidelines, and as of July 2024, the Engineering Division is in the process of developing a Project Scoping Guide. Both documents were revised/developed for consistency with 2011 Proposed PROWAG. The Project Scoping Guide supports the TDOT Project Delivery Network (PDN) by informing specific stages of the project development process and provides guidance for the development of project deliverables and documentation. Both the current [Roadway Design Guidelines - PDN](#) (dated July 31, 2024) and the Project Scoping Guide addressed the issues previously identified in the 2017 Roadway Design Guidelines.

2.1.5 Detectable Warning Surfaces on Curb Ramps

TDOT wanted to standardize the color of detectable warning surfaces used on all projects funded by TDOT or in TDOT ROW.

Inconsistencies in design were prevalent around the state, and some color choices of detectable warning surfaces did not provide the dark-on-light or light-on-dark contrast required by PROWAG. Based on research studies, yellow has been determined to be the last color the human eye loses as aging occurs; therefore, TDOT has decided to use yellow detectable warning surfaces on all TDOT-funded projects.

TDOT issued Instructional Bulletin (IB) No. 16-06 on July 7, 2016, indicating that Section 3-310.05 of the Roadway Design Guidelines had been updated to require yellow detectable warnings to be used exclusively on all TDOT-funded projects. IB No. 16-06 has since been replaced by [IB 20-03, which now updates Section 3-406.00 of the Roadway Design Guidelines to require yellow detectable warnings to be used on all TDOT-funded projects.](#)

On October 15, 2021, TDOT issued a memorandum indicating that the ADA Office had received several design exception/waiver requests regarding the TDOT standard requiring newly constructed and retrofit curb ramps to have detectable warning surfaces that are Federal Yellow in color. This requirement applies to all projects developed or funded by TDOT, including local program projects that involve TDOT funding. To manage and respond to the design exception/waiver request effectively, the ADA Office conducted a comprehensive review regarding the use of Federal Yellow detectable warning surfaces. Based on the review, TDOT will continue to use the Federal Yellow exclusively for detectable warning surfaces and will only consider exceptions that provide superior safety benefits. A copy of the ["Review of ADA Detectable Warning Surface Color"](#) memorandum is provided on the TDOT website.

2.1.6 Standard Drawings Library

TDOT developed standard drawings for use by designers, engineers, and contractors with details of non-unique construction elements. These standardized drawings eliminate the need to reproduce or modify the plan details for each project and allow for consistent installation of common construction features such as sidewalks and curb ramps.

By a written policy from the Chief Engineer, TDOT has officially adopted 2011 Proposed PROWAG as a standard for the design and construction of pedestrian facilities within the public right-of-way. In 2017, the then current standard drawings that affect pedestrian access were revised for consistency with 2011 Proposed PROWAG. TDOT is in the process of updating the standard drawings to provide additional guidance to designers and contractors.

2.1.7 Construction Guidelines

The TDOT Standard Specifications for Road and Bridge Construction and Supplemental Specifications provide the written specifications for material quality standards and required execution of the work. In 2017, the then-current TDOT Standard Specifications for Road and Bridge Construction (dated January 1, 2015) and Supplemental Specifications (dated May 15, 2017) were reviewed for consistency with the 2010 ADA Standards and 2011 Proposed PROWAG.

In 2021, the **TDOT Standard Specification for Road and Bridge Construction** (dated January 1, 2021) was updated to incorporate the new PDN process and TDOT adoption and implementation of 2011 Proposed PROWAG. The 2021 update addressed issues previously identified in the 2015 specifications and 2017 supplemental specifications.

2.1.8 Local Program Construction Phase Overview

The Program Development and Administration Division plays a key role in ensuring that the ADA is the foundation for providing a safe, economical, and efficient transportation system. This Division strives to offer accessible programs, services, and activities to the public, as well as to contractors and sub-recipients. Among many services offered by the Division, local programs are considered high risk for ADA non-compliance by the FHWA.

2.1.8.1 Local Government Guidelines

The *TDOT Construction Phase Overview Supplemental Material* is a collection of TDOT policies that govern local programs that receive federal funds for construction improvements. In 2017, the then-current *TDOT Construction Phase Overview Supplemental Material* document was evaluated with the goal that no person or groups of persons shall, on the basis of a disability, be excluded from participation in, be denied benefits of, or otherwise subjected to discrimination under any and all programs, services, or activities administered by TDOT or its recipients, sub-recipients, and contractors.

The equivalent information is now provided in the *Local Government Guidelines for the Management of Federal and State-Funded Transportation Projects, Eighth Edition* (dated June 1, 2023). This manual is intended to provide local governments with procedures required by law, regulation, rule, policy, and standard for using FHWA and State Highway funds for transportation projects. The **Documents and Forms** referenced in the guidelines are provided on the TDOT website.

The *Local Government Guidelines for the Management of Federal and State-Funded Transportation Projects, Eighth Edition* (dated June 1, 2023), was not reviewed in its entirety in 2024, but the previously identified items of concern are still applicable to these guidelines and associated 2023 documents and forms.

Local Government Guidelines: Self-Evaluation Observations

- General Comments:
 - The TDOT ADA Public Notice statement (including alternate format and reasonable modification language) is not provided in this document.
 - No mention of requiring an ADA assurance for sub-recipients in the program information or within the local agency project agreement.
 - No ADA-specific compliance checklist or inspection sheet.
- Document/Form-Specific Comments:
 - Form 8-6 (Construction Project Files): No Construction Project File for the ADA.
 - Form 8-10a (Pre-Construction Conference Notice), Form 8-10b (Erosion Conference Notice), and Form 8-10c (Utility Conference Notices): All conference notices mention an ADA statement, “persons with a disability that require access to participate at the meeting may contact the Local Government at ____, TTY ____, no less than 7 days prior to the meeting”. This language is not correct and is not consistent with the recommended policies and procedures.
 - Form 8-11a (Pre-Construction Conference Meeting Minutes): Minutes have a Civil Rights Section but do not mention the ADA, only DBE/WBE items.
 - Form 5-3 (Design Policies Checklist and Certification): The Checklist does include ADA-specific requirements.
 - Form 8-15 (Railroad Completion Notice) and Form 8-33 (Completion Notice): Neither notice mentions that the ADA Coordinator should receive a copy of the Notice, nor does it certify that applicable elements have been inspected and are in compliance with the ADA.
 - Form 8-17 (Start Notice): The Notice does not mention that the ADA Coordinator should receive a copy of the Notice, nor does it provide any type of sub-recipient checklist, if required.
 - TDOT Construction Monitoring Report of Local Programs Projects does not include any ADA language.
 - Form 8-21 (Work Zone Traffic Control Inspection Form): Form shows a checklist for Pedestrian Safety, but it does not list ADA-specific items.
 - Form 8-22 (Bridge Construction Inspector’s Checklist): The checklist does not include ADA requirements for during and after pouring.

Local Government Guidelines: Recommendations

- General Comments:
 - Any documents that are disseminated from the TDOT to the public must have an ADA Public Notice statement included. This statement will provide the public notice of TDOT's obligations under the ADA Title II and Section 504. See **Section 2.1.3 Notice under the ADA** for more information.
 - As required by the Title II/504 requirements, an ADA Assurance is required. As a recipient of federal funds, TDOT is obligated to obtain signed ADA Assurances from all sub-recipients. This document should contain an ADA Assurance to be signed by the sub-recipient, or applicable language should be included in all contracts for sub-recipient projects. See **Section 4.0 Sub-Recipient Monitoring** for more information.
 - With the help of the ADA Coordinator, TDOT could draft and include an ADA Inspection Checklist within this document. The checklist would provide guidance to the inspectors, which will help ensure the final product is ADA-compliant.
- Document/Form-Specific Comments:
 - Form 8-6 (Construction Project Files): Create a Construction Project File for ADA.
 - Form 8-10a (Pre-Construction Conference Notice), Form 8-10b (Erosion Conference Notice), and Form 8-10c (Utility Conference Notices): Modify all conference notices for consistency with TDOT's ADA Notice under the ADA in **Section 2.1.3**.
 - Form 8-11a (Pre-Construction Conference Meeting Minutes): Modify minutes to include ADA. When applicable, discussion about ADA should occur prior to construction.
 - Form 5-3 (Design Policies Checklist and Certification): Add specific language to the checklist to ensure that ADA is being recognized at the beginning of the project and is being evaluated throughout the life of the project, which include the beginning of the project, at 50%, 75% and 100%. These ADA inspections should always include the ADA Coordinator.
 - Form 8-15 (Railroad Completion Notice) and Form 8-33 (Completion Notice): Add the ADA Coordinator to the recipient list for the completion notices. Also add specific language indicating all applicable elements have been inspected and are in compliance with the ADA.
 - Form 8-17 (Start Notice): Add the ADA Coordinator to the recipient list for the Start Notice. Also add a checklist for projects within a sub-recipient's jurisdiction. This checklist should ask if the sub-recipient has met all the ADA requirements under Title II/504, including a Transition Plan.
 - Add ADA-specific information to the TDOT Construction Monitoring Report of Local Programs Projects.
 - Form 8-21 (Work Zone Traffic Control Inspection Form): Add specific pedestrian safety language to the form. This language should include ADA requirements for Title II/504.
 - Form 8-22 (Bridge Construction Inspector's Checklist): Add specific language to the checklist to include ADA requirements for Title II/504, including ramps, handrails, curb ramps, and sidewalks, both during and after pouring requirements.

2.1.8.2 *Local Programs Construction Phase Overview Presentation*

In 2017, the then-current *TDOT Construction Phase Overview* presentation was evaluated with the goal that no person or groups of persons shall, on the basis of a disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by TDOT or its recipients, sub-recipients, and contractors. The presentation was updated in 2022 for use starting in Fiscal Year 2023, but the previously identified items of concern are still applicable to the current presentation.

Local Programs Construction Phase Overview Presentation: Self-Evaluation Observations

- Issues identified in the *Local Government Guidelines* (see **Section 2.1.8.1**) are also applicable to this presentation.
- No mention of ADA in any of the procedure charts. While ADA may be addressed throughout the procedure, it is not specifically mentioned.
- No mention of procedures or requirements for ADA Title II/504 for sub-recipients when issuing or not issuing a Notice to Proceed.

Local Programs Construction Phase Overview Presentation: Recommendations

- Recommendations provided in the *Local Government Guidelines* (see **Section 2.1.8.1**) are also applicable to this presentation.
- Add ADA-related text to the procedure charts. ADA requirements will be highlighted in the visual procedure summary to emphasize the inclusion of ADA throughout all project phases.
- This document will include a checklist for projects within a sub-recipient's jurisdiction. This checklist will ask if the sub-recipient has met all ADA requirements under Title II/504, including a Transition Plan. These requirements could affect federal funding for TDOT and their sub-recipients.

2.1.9 Reasonable Accommodation Request Procedure

The Title I ADA requires that reasonable accommodations be made to qualified individuals with disabilities. This may include any changes in an employee's work environment to provide equal employment opportunities and/or provide the public with an alternate format of a publication. In 2017, it was confirmed that TDOT did not have a reasonable accommodation request procedure. Accordingly, the **TDOT Reasonable Accommodation Request Process** (dated October 1, 2019) and **Reasonable Accommodation Request Form** (dated January 1, 2023) were developed. The TDOT Employment Reasonable Accommodation Policy 22-003 was also made effective on August 31, 2022, and was revised on July 1, 2024.

2.1.10 Adopt-A-Highway

The Adopt-A-Highway program keeps Tennessee beautiful! Since the program's inception in 1989, TDOT's volunteers have collected more than 12 million pounds of litter from Tennessee's roadsides. These valuable contributions are helping produce cleaner roadsides, reduce maintenance costs, and boost litter prevention awareness in the Volunteer State. Tennessee's Adopt-A-Highway Program provides an opportunity for individuals and groups concerned about the environment to take an active role in preserving and protecting our state's natural

beauty. Information related to the [Adopt-A-Highway Program](#) is provided on TDOT's website and includes hyperlinks to the following new volunteer resources:

- [Volunteer Application Form](#) (not dated)
- [District Coordinators' Contact Information](#) (dated April 13, 2023)
- [New Group Information Packet](#) (Tennessee Adopt-A-Highway Volunteer Group Orientation Packet, dated December 2016)
- [Volunteer Liability Release Form](#) (dated July 2016)
- [Volunteer Group Recognition Panel Options](#) (not dated)
- [Volunteer Safety Video](#) (dated March 7, 2017)
- [Adopt-A-Highway Brochure](#) (not dated)

In 2015, the Adopt-A-Highway new volunteer resources were evaluated, and TDOT is working on addressing the identified concerns.

2.1.11 ADA Checklist

In 2017, TDOT provided an "ADA Checklist" for TDOT employees who are responsible for public meetings and hearings. However, the "ADA Checklist" did not provide enough information regarding the ADA requirements to determine compliance. To provide a more comprehensive resource, the [TDOT Access Due-Diligence Checklist for Buildings](#) (dated November 2017) was developed.

Training should also be provided for all TDOT staff involved in public meetings and hearings.

2.1.12 Section 508 of the Rehabilitation Act

2.1.12.1 Accessibility Statement

Section 508 of the Rehabilitation Act of 1973 requires federal agencies to make their Electronic and Information Technologies (EIT) accessible to people with disabilities. The law applies to all federal agencies when they develop, procure, maintain, or use EIT. Federal agencies must give employees and members of the public who are disabled access to information comparable to the access available to others. This includes electronic documents, webpages, videos and virtual meetings, and social media. Individuals with disabilities may still have to use special hardware and/or software to access the resources. The [State of Tennessee Accessibility Statement under Section 508 of the Rehabilitation Act](#) clarifies that the Tennessee executive branch agency websites are subject to the same accessibility web standards as federal agencies.

2.1.12.2 Section 508 of the Rehabilitation Act Grievance Procedure, Complaint Form, and Appeals Process

TDOT developed a grievance policy, procedure, and form with an appeals process for Section 508 of the Rehabilitation Act (Section 508). The form includes the complainant's contact information, a description of the electronic and information technology in question, and specific details regarding the non-conforming aspects and remedy that is being requested.

TDOT has adopted the Section 508 grievance policy, procedure, and form with an appeals process. The policy can be found on TDOT's ADA Office website and is publicized in common areas that are accessible to all employees and the public.

If TDOT's response to a Section 508 complaint does not satisfactorily resolve the issue for the complainant, an appeal can be filed, and the complaint will be re-evaluated. The [TDOT Section 508 Appeals Process](#) (dated November 2024) is provided on the TDOT website.

TDOT's ADA Coordinator established a confidential internal complaint log.

2.1.12.3 TDOT Communication Policy and Statement

A communication policy ensures that all employees and the public know TDOT has certain obligations for all publications under the ADA. A statement notifying the public will be included in any publication disseminated from TDOT. In 2017, the *ADA Communication Assessment* document was reviewed, but this document did not describe TDOT's stance or obligations regarding publications. In 2019, the TDOT Communications Policy and Statement was developed to document this information. In September 2024, TDOT began drafting a memorandum to all TDOT employees that summarizes ADA Title II requirements, TDOT Written Communication Policy, Meeting/Program/Event Accessibility Policy, and Digital Accessibility Policy.

2.1.12.4 TDOT Webpage Review

The TDOT website (<https://www.tn.gov>) is a primary source of information regarding TDOT programs, services, and activities and has taken on increased importance as an effective communication tool to ensure that communications with individuals with disabilities are equally effective as communication with individuals without disabilities.

In 2017, TDOT's website was reviewed for accessibility and usability using a combination of automated and manual testing to achieve conformance with Section 508 of the Rehabilitation Act of 1973 (accessibility) and Web Content Accessibility Guidelines (WCAG) Version 2.0 (usability). Automated testing software was used to identify error type, location, frequency, and other valuable information. Manual testing to identify issues was completed with preferred assistive technologies (i.e., Jaws, Windoweyes, Dragon, Magic, and Zoomtext). The review focused on TDOT's primary webpages, each Division's main webpage, and the ADA Compliance webpage. Six (6) areas were evaluated on 182 TDOT webpages: errors, accessibility, compatibility, search, standards, and usability. In 2024, TDOT completed an update to the website based on the results of the review.

On April 24, 2024, the Federal Register published the DOJ's final rule updating its regulations for Title II of the ADA, *Nondiscrimination on the Basis of a Disability; Accessibility of Web Information and Services of State and Local Government Entities*. The final rule has specific requirements on how to ensure that web content and mobile applications are accessible to people with disabilities, which requires compliance with WCAG Version 2.1, Level AA. The final rule became effective on June 24, 2024. A public entity with a population of 50,000 or more shall begin complying with this rule by April 24, 2026.

As of Summer 2024, TDOT is actively working to evaluate social networks, both internal and external.

2.2 Facilities Review

In 2015, all TDOT-owned facilities were evaluated by the Consultant Team in conjunction with TDOT's ADA Office and Maintenance staff. The compliance status of parking, exterior paths of travel, entrances, interior paths of travel, restrooms, service counters, and meeting rooms was determined based on the 2010 ADA Standards. As a Title II entity, TDOT is not required to remove all barriers within areas that only employees have access to until an employee with a disability makes a request. Those items are listed as low priorities in the reports.

Summary reports were developed for each facility type to document the observations of the evaluations. The summary reports include the following elements:

- Recommended actions to resolve non-compliance issues for each facility.
- Prioritized list of recommended actions using criterion developed by the Consultant Team.
- Conceptual budget estimates for each recommended action.

The facility reports are being used by TDOT Maintenance Division to determine if barrier removal or complete facility replacement is most appropriate. Over 140 TDOT employees have received extensive 2010 ADA Standards training to ensure that modifications to buildings are done correctly and that facilities remain barrier-free.

Copies of the facility report summaries are provided on the TDOT website:

- [TDOT Region 1 Facility Summary Reports](#)
- [TDOT Region 2 Facility Summary Reports](#)
- [TDOT Region 3 Facility Summary Reports](#)
- [TDOT Region 4 Facility Summary Reports](#)
- [James K. Polk Headquarters Facility Summary Report](#)

The following sections describe common issues identified during the reviews, but these descriptions are not intended to provide a comprehensive list of all barriers in each facility. Copies of the complete facility reports are available for review at the ADA Office online: <https://www.tn.gov/tdot/government/g/ada-office0/transition-plan.html>.

2.2.1 Regional Complexes

The following Regional Headquarters Complexes and associated facilities were evaluated:

- Region 1 Headquarters Complex
 - Administration Building A
 - Construction Field Office, Building C
 - Maintenance, Building D
 - Garage, Building E
 - Highway Marking, Building F
 - District Offices
 - Johnson City District Office
 - Morristown District Office
 - Newport District Office
 - Harriman District Office
 - LaFollette District Office
 - Transportation Management Center (TMC)
 - Materials and Testing, Building B
- Region 2 Headquarters Complex (currently under construction)
 - Transportation Management Center (TMC)
 - District Offices
 - Cookeville District Office
 - Crossville District Office
 - Dunlap District Office
 - Tullahoma District Office
- Region 3 Headquarters Complex
 - Administration Building A
 - Annex Trailers
 - Construction Field Office Building C
 - Maintenance, Building G
 - Garage Building E
 - Highway Marking Building F

- Transportation Management Center (TMC)
- District Offices
 - Gallatin District Office
 - Clarksville District Office
 - McEwen District Office
 - Belfast District Office
 - Lawrenceburg District Office
- Region 4 Headquarters Complex
 - Administration Building A
 - Construction Field Office, Building C
 - Maintenance, Building D
 - Garage, Building E
 - Highway Marking, Building F
 - District Offices
 - McKenzie District Office
 - Newbern District Office
 - Bethel Springs District Office
 - Arlington District Office
 - Transportation Management Center (TMC)

Sections 2.2.1.1 – 2.2.1.10 describe the common deficiencies found at each building type within the Regional Headquarters Complexes.

2.2.1.1 Administration Buildings

The Administration buildings have a variety of parking issues. In some cases, such as Region 1, there are not enough accessible parking spaces per lot. None of the Administration Buildings have compliant van accessible spaces, and several parking lots have no access aisle serving the accessible parking spaces. Another common issue in the Administration buildings is not having a compliant path of travel from the accessible parking to the building entrances they serve. The Region 3 Administration building has a passenger drop-off area with no access aisle and no compliant path of travel from the accessible parking to the building entrance.

Most entrances have doormats that are not secured to the floor, and several main entry doors close too quickly. The interior path of travel has non-compliant reception and service desks throughout the facility, as well as protruding objects in the path of travel, including drinking fountains. The path of travel has been obstructed by tables, file cabinets, and file boxes. The drinking fountains also do not comply. Signage that designates permanent spaces does not have the required raised texture or Braille. Interior doors require more than five pounds of pressure to open.

Attempts have been made to make the restrooms compliant, but there are several items that are not in every facility. For instance, in Region 1, the men's restrooms all have the flush control mechanism on the wrong side, non-compliant urinals, and items mounted in areas where they obstruct the use of the grab bars. Restrooms have had office furniture placed in the path of travel.

None of the break rooms provided are compliant in any of the facilities; however, those will be considered a lower priority issue if used by employees only.

2.2.1.2 Construction Field Offices

The Construction Field Offices have a variety of parking issues. There is a shortage of accessible parking spaces, missing van signage, and improperly placed signage. Accessible van spaces are not always on the shortest accessible route to the building. Region 4 had state vehicles and a picnic table in the accessible spaces at the time of inspection, and uneven and cracked asphalt. In Region 1, there was no accessible route from parking in front of the building to the sidewalk or building entrance and no curb ramps. Most locations have curb ramps or paths of travel with excessive slopes.

Most inaccessible entrances do not have directional signage directing people to the accessible entrance and the mats at the entrance doors are not properly secured. The interior path of travel needs compliant signage throughout the buildings for all areas that designate permanent spaces. There are protruding objects in the path of travel, including drinking fountains and fire extinguishers. The drinking fountains do not comply in each facility. The reception desks in Region 3 and Region 4 do not have a 36" high section of the counter provided. Region 3 has all non-compliant doorknob hardware, requiring a twisting of the wrist to operate.

It appears that attempts have been made to make at least some restrooms compliant. However, there are issues that need to be addressed to bring the restrooms into compliance, including but not limited to, restroom doors that close too quickly or require more than five pounds of pressure to operate. Where provided, the restroom stall doors are not self-closing and do not have pulls on both sides of the door. Objects within the restrooms protrude into the path of travel or out of reach range. The pipes under the lavatories need to be protected against contact and some flush controls are on the wrong side of the water closet. In Region 3, there is no accessible stall provided in the men's restroom.

Only Region 1 had breakroom violations. The microwave is too high and out of reach range, and the countertop is too high. If these buildings are not open to the public, breakroom areas should be low priority.

2.2.1.3 Region 3 Annex Office Trailers

The off-campus annex trailers located on the north side of Centennial Boulevard have parking issues, including accessible parking spaces without access aisles to serve the accessible parking spaces and no signage. The accessible route to the entrance is substantially compliant.

The inaccessible entrances have no directional signage directing people to the accessible entrance. The main entrance has a metal threshold with a vertical change in level. The interior path of travel has a non-compliant reception desk, and protruding objects in the path of travel, including drinking fountains, fire extinguishers, and desk surfaces. Floor mats are not secured to the floor.

The restrooms signage does not have the required Braille or raised texture characters. Signage is currently mounted on the doors, so new signage will need to be relocated to the wall next to the latch side. Soap dispensers, paper towel/hand dryers are not mounted within the required reach range. Grab bars are too high and rear grab bars are not properly mounted. Toilet paper dispensers are also too close to the water closet. In the women's restroom specifically, the flush control is mounted on the wrong side of the water closet (it should be on the open side), and the lavatory has exposed pipes.

The only need in the break room is that the counter is 36" instead of the max of 34". This is a lower priority unless a current or future employee need warrants the change.

2.2.1.4 Maintenance Buildings

The Maintenance Buildings have several parking issues. Region 1 has no accessible parking directly serving the building. Parking spaces must be located on the shortest accessible route and include signage. An accessible route is not provided to the building entrance in Region 3. Curb ramps must be maintained, and running slopes and cross slopes need to be within compliant ranges.

Most entry doors close too quickly and will need to be adjusted. Floor mats are not secured to the ground, and no directional signage is provided at non-accessible entrances to direct people to the accessible entrance. There is no established accessible entrance for Region 3, per the TDOT report. The interior path of travel has non-compliant reception desks and protruding objects in the path of travel, including a fire extinguisher, chair, trash can, refrigerator, and drinking fountains. The accessible path of travel is required to be 36", and thresholds into offices meet the required standards. No compliant water fountains are provided at Region 1 or Region 4. The Region 3 waiting room has no clear floor space for a wheelchair.

Attempts for compliance in the restrooms in Region 1 have been made, but there are still several items out of compliance in the Maintenance Building restrooms. Issues include doors that close too quickly, grab bars improperly mounted, items protruding in the path of travel, not enough turn radius, signage without Braille on the entrance doors, excessive countertop heights, pipes not wrapped to protect on contact, and flush controls on the wrong side of the water closet.

The break rooms have reach ranges out of compliance, excessive counter tops heights, and missing required knee/toe clearance for forward approach. In Region 3, the path of travel width from the refrigerator to the break room counter is reduced by a table.

2.2.1.5 Garages

Garages are located within the Headquarters Complexes for Regions 1, 3, and 4. The garage buildings vary in compliance, but all are older buildings that are a lower priority to bring into compliance unless an employee with a disability makes a specific request.

None of the garage buildings have compliant parking or compliant entrances. Most entrances have mats at the doors that are not properly secured.

The interior of the garage buildings is also non-compliant. Hallways have protruding objects, some doors have cylindrical hardware, and most doors are too heavy to open. None of the break rooms comply and none of the restrooms are fully compliant.

2.2.1.6 Highway Marking Buildings

The Highway Marking Buildings have a variety of parking issues. The parking issues range from no accessible parking, to not having access aisles or signage provided. There are no crosswalks provided from parking to the building entrances. The routes to the building entrances have excessive slopes. In Region 4, there are no wheel stops to keep the cars from obstructing the intended accessible route from the accessible parking spaces to the building entrance.

Most entrance doors are missing directional signage at non-accessible entrances, directing people to the accessible entrance. Floor mats are not secured to the ground. The entry doors close too quickly, and have excessive slopes at the entrance, which need to be corrected so those with mobility challenges have equal access. The interior paths of travel have no accessible drinking fountains, floor mats that need to be secured, protrusions in the path of travel

including a non-compliant drinking fountain. Knob hardware on the doors require a twisting of the wrist and should be replaced with lever hardware. The reception desk does not have a lowered section, 36" in height. The door to the Region 3 vestibule currently requires more than five pounds of pressure to operate, exceeding the limits. The restrooms have violations, both minor and major, from excessive mirror mounting heights, to non-accessible stalls. There are lavatory pipes not protected against contact, improperly mounted grab bars, flush controls on the wrong side of the water closet, the path of travel obstructed by protrusions, stall doors that do not have door pulls on both sides of the door, and restrooms needing signage with Braille on the doors. The door to the restroom must require less than 5 pounds of pressure to open.

Break rooms in the Highway Marking Buildings have excessive countertop heights, usable objects out of reach range, and paths of travel obstructed, including no clear turn radius of 60". Region 1 has the maneuvering clearance for the sink blocked by the refrigerators.

2.2.1.7 District Offices on Regional Headquarters Complexes

The District Offices vary in compliance. The following sections summarize District Office compliance by region. None are fully compliant. Most District Offices are two levels with only a conference room and a few offices on the second floor, and no restrooms. Because of the size and function of the second floor, there is no need to install vertical access. However, to ensure program access, there must be an alternative location for conferences and meetings that is on an accessible route. The Consultant Team addressed the lack of vertical access programmatically instead of requiring the installation of an elevator. However, if there is no alternative space for meetings or conferences, vertical access will be required. Costs for elevator installation were not provided by the Consultant and compliance was given a low priority (level 12) until an employee needs access to the second floor and triggers the need for programmatic resolution.

Region 1

Region 1 has five District Offices: Johnson City, TN; Morristown, TN; Newport, TN; Harriman, TN; and LaFollette, TN. They are all similar in design and age.

Most District Offices were built in 1983 and renovated in 2001. Because there was a 2001 renovation, compliance should have been achieved for the parking and path of travel issues, but it was not. None are fully compliant.

Parking for these facilities is not compliant. Some parking spaces have slope issues, signage issues, or no access aisle. Several parking lots do not have enough designated accessible parking. None have fully compliant parking.

In some parking lots, the path from the accessible parking space in the front of the building requires travel in the drive lane to the sidewalk. Others require travel along a non-compliant sidewalk or ramp, or sidewalks that should be ramps.

The interior ramp to each garage is also not compliant because the level area at the top, by the door, has only 48" depth instead of the required 60". The interior doors are heavy (more than five pounds of pressure are required to open the doors) and closer adjustments should become part of regular facility maintenance.

The women's restroom is located inside the office area and the men's restroom is in the garage area. In an earlier remodel, the women's restroom was upgraded with accessible features and intended to be used as a unisex accessible restroom, although the signage still says "Women." The men's restroom, which is in the garage area, has no compliant features.

The break room sink is not compliant, and the room is filled with furniture, so the path of travel is not wide enough to accommodate a person in a wheelchair.

Region 2

Region 2 has four District Offices: Cookeville, TN; Crossville, TN; Dunlap, TN; and Tullahoma, TN. They are all similar in design and age.

Most were built in 1983 and renovated in 2003. Because there was a 2003 renovation, compliance should have been achieved for the parking and path of travel issues, but it was not. None are fully compliant.

Parking for these facilities is not compliant. Some have slope issues, signage issues or no access aisle. Several do not have enough designated accessible parking. None have fully compliant parking. Changes will need to be implemented to ensure compliance.

In some locations, the path from the accessible parking space in the front of the building requires travel in the drive lane to the sidewalk. Others require travel along a non-compliant sidewalk or ramp, or sidewalks that should be ramps.

The interior ramp to each garage is also not compliant because the level area at the top, by the door, has only 48" depth instead of the required 60". The interior doors are heavy (more than five pounds of pressure are required to open the doors) and closer adjustments should become part of regular facility maintenance.

The women's restroom is located inside the office area and the men's restroom is in the garage area. In an earlier remodel, the women's restroom was upgraded with accessible features and intended to be used as a unisex accessible restroom, although the signage still says "Women." The men's restroom, which is in the garage area, has no compliant features and would need to be completely taken out and replaced for compliance.

The break room sink is not compliant, and the room is filled with furniture, so the path of travel is not wide enough to accommodate a person in a wheelchair.

Region 3

Region 3 has five District Offices; Gallatin, TN; Clarksville, TN; McEwen, TN; Belfast, TN; and Lawrenceburg, TN. They are all similar in design and age.

Most were built in 1983 and renovated in 2009. Because there was a 2009 renovation, compliance should have been achieved for the parking and path of travel issues, but it was not. None are fully compliant.

Except for Clarksville, the rest of these facilities do not have compliant parking. Some parking spaces have slope issues, signage issues, or no access aisle. One parking lot does not have enough designated accessible parking. Most have a non-compliant path of travel to the entrance, or non-compliance entrance.

The interior ramp to each garage is not compliant because the level area at the top, by the door, has only 48" depth instead of the required 60". The interior doors are heavy (more than five pounds of pressure are required to open the doors) and closer adjustments should become part of regular facility maintenance.

The women's restroom is located inside the office area and the men's restroom is in the garage area. In an earlier remodel, the women's restroom was upgraded with accessible features and intended to be used as a unisex accessible restroom, although the signage still says "Women." The men's restroom, which is in the garage area, has no compliant features.

The break room sink is not compliant, and the room is filled with furniture, so the path of travel is not wide enough to accommodate a person in a wheelchair.

Region 4

Region 4 has four District Offices; McKenzie, TN; Newbern, TN; Bethel Springs, TN; and Arlington, TN. They are all similar in design and age.

Most were built in 1983 and two were renovated in 2001, the date of the renovations for Bethel Springs or Arlington is unknown. Because there was a 2001 renovation, compliance should have been achieved for the parking and path of travel issues, but it was not. None are fully compliant.

Parking for these facilities is not compliant. Some parking spaces have slope issues, signage issues, or no access aisle. Several parking lots do not have enough designated accessible parking. No parking lots have fully compliant parking.

In some locations, the path from the accessible parking space in the front of the building requires travel in the drive lane to the sidewalk. Others require travel along a non-compliant sidewalk or ramp, or sidewalks that should be ramps.

The interior ramp to each garage is also not compliant because the level area at the top, by the door, has only 48" depth instead of the required 60". The interior doors are heavy (more than five pounds of pressure are required to open the doors) and closer adjustments should become part of regular facility maintenance.

The women's restroom is located inside the office area and the men's restroom is in the garage area. In an earlier remodel, the women's restroom was upgraded with accessible features and intended to be used as a unisex accessible restroom, although the signage still says "Women." The men's restroom, which is in the garage area, has no compliant features.

The break room sink is not compliant, and the room is filled with furniture, so the path of travel is not wide enough to accommodate a person in a wheelchair.

2.2.1.8 Transportation Management Centers (TMCs)

The TMC in Region 2 has compliant parking. The other TMCs are not compliant. Accessible parking is not along the shortest route to the main entrance, there are not enough accessible parking spaces, excessive slopes, and signage mounted at an incorrect height. The accessible routes to the building in Region 1 and Region 3 were both compliant. In Region 2, the picnic table and bench in front of the building block access for someone in a wheelchair. Region 4 has foliage obstructing the sidewalk, curb ramps with excessive slopes, and floor mats that were not secured.

The entrances at the TMCs have minor deficiencies including the need to secure floor mats and directional signage needed at the non-accessible entrances. The main entrance of Region 4 is compliant. The interior path of travel has non-compliant reception desks and a security desk without a lowered (36" height) portion provided. Doors must require less than 5 pounds of pressure to open, signage within the buildings has a standard mounting height but not all are at an accessible height and location. Some drinking fountains protrude into the path of travel and some fountains for standing persons are not available.

Attempts have been made to make the restrooms compliant, specifically in Region 4, where the only issues are doors closing too fast and accessible stall doors that are not self-closing and do not have door pulls. For the remaining regions, there are many items of non-compliance including incorrect signage locations, doors that close too fast, excessive door-opening pressure required, grab bars improperly mounted, items protruding into the path of travel, not enough turn radius, excessive countertop heights, pipes not wrapped to protect on contact, and flush controls on the wrong side of the water closet.

The break rooms had reach ranges out of compliance, excessive countertop heights, and missing required knee/toe clearance for forward approach. In Region 1, the path of travel from the refrigerator to the break room counter is blocked by a table.

2.2.1.9 Materials and Testing

The Region 1 Materials and Testing building has some compliant elements; however, there are still some issues that need to be addressed.

In the parking lot, there is a built-up curb ramp that protrudes into the access aisle for the accessible parking space. The way the curb ramp was constructed also creates a tripping hazard. The mats in front of the main entrance are also tripping hazards because they are not properly secured.

The restrooms have some compliant elements; however, the flush control mechanism is required to be on the open side of the water closet and the water lines under the lavatories need to be protected from contact. The urinals are in an alcove and the alcove is too narrow. The drinking fountain is not compliant either because there is only one or it is flush mounted.

2.2.1.10 Fuel Station

The Region 4 Fuel Station is a stand-alone building with 10 parking spaces in front. One of the parking spaces is designated as accessible and other than the signage, it is a compliant space. However, the path of travel from the accessible space to the building entrance requires crossing a vehicular route and there is no marked crosswalk. The sidewalk to the main entrance has a cross slope more than double the allowable standard and it continues all the way to the entry door, making the maneuvering clearance at the main entry non-compliant.

The lavatories in both the men's and women's restrooms are above 34", which is the maximum allowance. There are no drinking fountains at standard heights, so one will need to be added.

2.2.2 TDOT Field Offices

The following field offices were evaluated:

Region 1 Field Offices:

- District 17 Elizabethton
- District 18 Newport
- District 19 LaFollette
- District 19 Harriman
- District 19 Alcoa

Region 2 Field Offices:

- District 27 Livingston
- District 27 Cookeville
- District 28 McMinnville
- District 28 Dunlap
- District 28 Tullahoma
- District 29 Benton
- District 29 Cleveland

Region 3 Field Offices:

- District 37 Gallatin
- District 38 Columbia
- District 38 Clarksville
- District 38 McEwen
- District 39 Murfreesboro
- District 39 Belfast
- District 39 Lawrenceburg

Region 4 Field Offices:

- District 47 McKenzie
- District 47 Newbern
- District 47 Trenton
- District 48 Brownsville
- District 48 Bethel Springs
- District 48 Jackson – Included in Region 4 Headquarters “Construction Field Office, Building C”
- District 49 Covington
- District 49 Memphis – Facility no longer exists - operations moved to Arlington District Office

The Field Offices have a variety of parking issues. Some of the parking areas have excessive slopes, level changes, and no van-accessible spaces. Some of the parking lots have no access aisle serving the accessible parking spaces. Another common issue in the Field Offices is not having a compliant path of travel from the accessible parking to the building entrances they serve.

Most of the entrances have mats that are not secured. Several of the main entry doors close too quickly and some have slopes to the entry door. The interior path of travel has non-compliant desks with protruding counters throughout the facility. The drinking fountains generally do not comply. Signage that designates permanent spaces does not have the required raised texture or Braille.

In some of the facilities attempts have been made to make the restrooms compliant, but there are several items that are not compliant in every facility. The items that often are not compliant are grab bars, lavatories, doors, mirrors, and in some cases the clear floor space required for the water closet.

2.2.3 James K. Polk Building

The James K. Polk building is the State Headquarters building for TDOT. There is no parking specifically for this building and there are two entrances. The entrance that best serves the TDOT office has non-compliant slopes leading to it. The more accessible entrance has a much longer path of travel through the TPAC building.

Each floor has a variation of drinking fountains, protruding objects, cylindrical door hardware, and other non-compliant conditions.

Although some attempts have been made to make the restrooms compliant, none of them have a fully compliant accessible stall on any floor. Often, the path of travel has been reduced within the restrooms due to file cabinets and furniture. Other items are also non-compliant including grab bars, coat hooks, and lavatories among the areas needing alteration. This is a high priority due to the considerable number of non-employees that visit TDOT.

2.2.4 Ferry Docks

The following docks were evaluated:

- Benton-Houston Counties
- Cumberland City

Both the Benton-Humphreys and Cumberland City Ferries are drive-on ferries. Tickets are collected on board, so there is no parking or ticketing on shore. There is nothing provided that needs to be brought into compliance.

2.2.5 Truck Weigh Stations

Region 3, I-65 Truck Weigh Station near the Alabama border was evaluated.

The Weigh Station appears to be a new building; therefore, all items are required to be brought into compliance. There is no "van" signage for the accessible parking spaces.

The entry door closes too quickly for compliance and there is a sloped floor between the foyer and the reception desk that does not have handrails installed.

Interior and exterior restrooms are provided for both men and women, and several of the accessible stalls have the flush control mechanism on the wrong side.

2.2.6 Rest Areas

The following rest areas were evaluated:

Region 1 Rest Areas:

- Rest Area #12
- Rest Area #13
- Rest Area #16
- Rest Area #17
- Rest Area #18

Region 2 Rest Areas:

- Rest Area #1
- Rest Area #2
- Rest Area #10
- Rest Area #11
- Rest Area #14
- Rest Area #15

Region 3 Rest Areas:

- Rest Area #6
- Rest Area #7
- Rest Area #8
- Rest Area #9

Region 4 Rest Areas:

- Rest Area #4
- Rest Area #5
- Rest Area #19

Several of the Rest Areas have slopes that exceed 2% in the parking spaces or cross slopes along the required paths of travel to the amenities offered. In most cases, the accessible routes from the Truck/RV parking were not as close as possible to an accessible route or did not have any crosswalks serving them. There are also several non-compliant curb ramps and sidewalks serving the parking areas. Most of the Rest Areas did not have a compliant path of travel to the pet walk areas. Some of the Rest Areas have accessible picnic areas and some do not.

Inside the Rest Areas, there are protruding objects along the path of travel and vending machines with the highest operable parts above 48".

Attempts have been made to make the restrooms compliant; however, there are several non-compliant elements. These are required to be brought into compliance because they serve the public.

2.2.7 Welcome Centers

The following welcome centers were evaluated:

Region 1 Welcome Centers:

- Welcome Center #25
- Welcome Center #30
- Welcome Center #31
- Welcome Center #33

Region 2 Welcome Centers:

- Welcome Center #22
- Welcome Center #21
- Welcome Center #29

Region 3 Welcome Centers:

- Welcome Center #20
- Welcome Center #24
- Welcome Center #27
- Welcome Center #28

Region 4 Welcome Centers:

- Welcome Center #23
- Welcome Center #32

Several of the Welcome Centers have slopes that exceed 2% in the parking spaces or cross slopes along the required paths of travel to the amenities offered. In most cases the accessible routes from the Truck/RV parking were not as close as possible to an accessible route or did not have any crosswalks serving them. There are also several non-compliant curb ramps and sidewalks serving the parking areas. Most of the Welcome Centers did not have a

compliant path of travel to the pet walk areas. Some of the Welcome Centers have accessible picnic areas and some do not.

Most of the service counters inside the Welcome Centers do not have a lowered section of the counter for compliance and most have pamphlets that are above the required reach ranges.

Attempts have been made to make the restrooms compliant; however, there are several non-compliant elements. These are required to be brought into compliance because they serve the public. Most of the restrooms do not have the required ambulatory stalls installed and several have door, grab bar, and flush control issues.

2.2.8 Facilities Cost Projection Overview

Table 1 details the statewide barrier removal cost estimates by facility type and by region. Recommendations were made for each compliance issue and then a planning-level cost projection for each improvement was calculated using the *Means ADA Compliance Pricing Guide: Cost Estimates for More than 70 Common Modifications* was used for buildings. For items that are not in the *Means ADA Compliance Pricing Guide*, product research was completed, and vendors were contacted for current pricing. A 10% design contingency and 10% construction contingency were included in the total project cost estimates.

Table 1. Facility Cost Estimate Summary

Region	Weigh Station	Rest Stops	Welcome Centers	HQ Complex	Field Offices	District Offices	Polk Building HQ	Division Total
1	N/A	\$640,214	\$364,934	\$395,754	\$172,940	\$215,949	N/A	\$1,789,791
2	N/A	\$897,113	\$429,832	\$18,886	\$283,913	\$130,202	N/A	\$1,759,946
3	\$6,170	\$409,554	\$508,876	\$305,190	\$140,556	\$157,268	N/A	\$1,527,613
4	N/A	\$221,887	\$434,158	\$237,997	\$212,534	\$176,365	N/A	\$1,282,941
HQ	N/A	N/A	N/A	N/A	N/A	N/A	\$277,844	\$1,282,942
Total	\$6,170	\$2,168,768	\$1,737,800	\$957,827	\$809,942	679,784	333,413	\$6,693,704

2.2.9 Prioritization of Facilities

The following section outlines the parameters used to establish the prioritization for improvements within each facility. These prioritization factors were taken into consideration when developing the implementation plan for the proposed improvements.

Facilities were prioritized on a 12-point scale, which is defined in **Table 2**. This prioritization methodology has been developed by the Consultant Team to aid TDOT in determining how the facilities should be prioritized for improvements based on the severity of non-compliance with ADA.

Table 2. Prioritization Factors for Facilities

Element	Criteria
Level 1	
Safety Issues	Dangerously steep slopes, protruding objects, obvious safety liabilities, areas where complaints have been filed

Element	Criteria
Level 2	
Alterations	Did not bring required elements into compliance (adding a break room or restroom that is not compliant)
Doors	Narrow doors (less than 32" clear width)
Older Construction	Severely out of compliance
Level 3	
Accessible Route	No accessible route to adjacent sidewalk system
Accessible Route	No accessible route from parking to building entrances
Entrance Doors	Maneuvering clearance - does not have 18" on pull side (less than 16")
Entrance Doors	Maneuvering clearance - area in front of the door slopes over 4% in any direction
Parking	No accessible parking
Parking	Severely non-compliant parking (excessive slopes, gravel surface, etc.)
Level 4	
Accessible Route	No accessible route to each amenity, inside buildings on site (no elevator to upper areas, steps only, narrow doors, etc.)
Accessible Route	Gaps and grate opening over 1/2"
Accessible Route	No access to public areas (coffee bars, break rooms, conference rooms, smoking areas etc.)
Accessible Route	There is a sidewalk system around the park, but it does not connect to each amenity. (picnic tables, fishing piers, park benches, baseball, softball, disc golf, tennis, basketball, soccer, horseshoe, splash pads, skate parks, etc.)
Clear Floor Space	Obstructed clear floor space
Counter heights	No accessible counter heights (reception counters, utilities counters, concession stands, ticket booths, pool admittance, etc.)
Grab Bars	No grab bars
Interior Doors	Maneuvering clearance - area in front of the door slopes over 4% in any direction
Interior Doors	Door is too heavy, over 20 lbs.
Interior Doors	Maneuvering clearance - does not have 18" on pull side (less than 16" on pull side)
Interior Doors	Mat at doors is not secured, loose, or slippery
Knee Clearance	Not compliant, Below 26"
Lavatory	Lavatory is more than 35.5", Lavatory CL is less than 14"
Lavatory/sink	No knee clearance when required
Parking	Accessible parking is not on the shortest route to accessible entrance
Parking	Non-compliant parking (structural solution - demolish and regrade)
Protrusion	Into path of travel over 9" or below 70"
Restrooms	No accessible toilets
Seating/Picnic	Seating provided, but none are accessible
Showers	No accessible showers/benches/changing areas
Sloping floors	Floor slopes over 4% in any direction
Stall doors	Door located in front of water closet

Element	Criteria
Toilet Stalls	No ambulatory stall provided
Transaction counter	For public use, above 38"
Urinal	Mounted above 20"
Mirrors	Mounted too high, above 44"
Visual Strobe	Audible alarm system with no visual strobes
Level 5	
Accessible Route	Non-compliant public areas (coffee bars, break rooms, conference rooms, smoking areas, etc.)
Door	Knob hardware
Doors	Non-compliant interior door clearances (16" to 17 7/8" on pull side)
Doors	Maneuvering clearance - Area in front of the door slopes between 2.1% and 3.9% in any direction
Lavatory/sink	Lavatory/sink pipes are not wrapped or protected, lavatory/sink is 34.1" to 35.5", Lavatory CL is 14" to 14.9"
Locker Rooms	No accessible bench provided
Parking	Non-compliant parking (non- structural solution - restriping, etc.)
Playground	Non-compliant playground surface
Playground	Non-compliant playground equipment
Restroom	Non-compliant restroom amenities (water closet, urinal, lavatory)
Sloping floors	Floor slopes between 2.1% and 3.9% in any direction
Water Closet	Flush control is on the wrong side
Level 6	
Dispenser	Non-compliant dispensers (above 54" paper towel, coat hook, etc.)
Doors	Accessible toilet stall is not self-closing
Doors	Vision panel is 46" or above
Doors	Accessible toilet stall does not have handles on both sides of door
Doors	Doors close too quickly
Grab Bars	Non-compliant grab bars
Showers	Non-compliant showers/benches/changing areas
Signage	Non-compliant signage
Knee Clearance	Not compliant, between 26" and 27"
Storage	No accessible cabinets
Level 7	
Accessible Route	Accessible route with moderate access issues (level changes that can be ground down or
Baby Changing	If mounted over 36" in height
Seating	Accessible seating not integrated or on sloped area
Transaction counter	For employee use, above 34"
Urinal	Mounted between 18" - 19.9"
Level 8	
Coat Hook	Coat hooks are mounted above 48"

Element	Criteria
Drinking Fountain	Non-compliant drinking fountains
Grab Bars	Over 37"
Protrusion	Into path of travel 6.1" to 9" or between 70.1" and 80"
Mirrors	Mounted too high, between 40.5" and 44"
WC Seat Height	20" or above
Level 9	
Baby Changing	If mounted 34.1" to 35.9"
Dispenser	Non-compliant dispensers (Between 48 - 54" paper towel, coat hook, etc.)
Parking	Non-compliant parking (striping, signage)
Storage	Not enough accessible cabinets
Level 10	
Accessible Route	Minor level changes, gaps, or cracks in accessible route
Doors	Vision panel is 1/2" to 3" too high
Lavatory/sink	Knee clearance minimally off. Any dimension for knee clearance less than 1".
Urinal	Mounted over 17" but less than 18"
Visual Strobe	No visual strobe provided in employee area
Fire Extinguishers and defibrillators	Relocate items outside of the circulation path, recess, or place a permanent barrier below.
WC Seat Height	Over 19" less than 20"
Level 11	
Coat Hook	Coat hook is not in accessible stall, but is in other stalls
Grab Bars	Up to 37", or 1" over compliance
Protrusions	Into path of travel 4.1" to 6"
Level 12	
Any Element	Covered under 'safe harbor' but not compliant because the room was not fully compliant
Any Element	Within a reasonable tolerance, but not compliant

The Rest Stops and Welcome Centers are the highest priority facilities for TDOT to alter since they are the most heavily trafficked areas by the public. TDOT also has a substantial number of buildings that were built since the ADA went into effect and, therefore, should be fully compliant. Those buildings are:

REGION 1:

Welcome Center #30	Campbell
Welcome Center #31	Sullivan
Welcome Center #33	Unicoi
Administration Building A	R1 HDQ Complex
Field Office Building C	R1 HDQ Complex
Garage Building E	R1 HDQ Complex
Transportation Management Center (TMC)	R1 HDQ Complex
District 17 District Office Building	Johnson City

District 17 District Office Building	Morristown
District 18 District Office Building	Newport
District 19 District Office Building	Harriman
District 19 District Office Building	LaFollette
District 18 Field Office Building	Newport
District 19 Field Office Building	LaFollette
District 19 Field Office Building	Harriman

REGION 2:

Welcome Center #29	Hamilton
Rest Area #14	McMinn
Rest Area #15	McMinn
Transportation Management Center (TMC)	Hamilton
District 27 District Office Building	Cookeville
District 27 District Office Building	Crossville
District 28 District Office Building	Dunlap
District 28 District Office Building	Tullahoma

REGION 3:

Transportation Management Center (TMC)	R3 HDQ Complex
District 37 District Office Building	Gallatin
District 38 District Office Building	Clarksville
District 38 District Office Building	McEwen
District 39 District Office Building	Belfast
District 39 District Office Building	Lawrenceburg

REGION 4:

Rest Area #4	Madison
Rest Area #5	Madison
Const. Field Office Building C	R4 HDQ Complex
District 49 Office	R4 HDQ Complex
Field Office Building C	R4 HDQ Complex
Garage Building E	R4 HDQ Complex
Transportation Management Center (TMC)	R4 HDQ Complex
District 47 District Office building	McKenzie
District 47 District Office building	Newbern

2.2.10 Facilities Completed Actions

Since 2015, TDOT has been removing identified barriers from several facilities, and each region has been tracking improvements that have been made. Most recently in 2022 – 2023, TDOT made nearly 50 improvements, both in-house and with the assistance of outside vendors. Examples of the barriers that have been addressed include:

- Improvements to parking (addition of van accessible parking signage, addition of accessible parking signage).
- Improvements to entrances (securing mats to floor, adjusting door mechanisms, replacing drainage grates).
- Improvements to interior routes (securing mats to floor, adjusting display heights of maps, replacing vending machine with excessive reach ranges, adjustment to signage mounting locations, adjusting reach range to access periodicals, replacing sinks in breakroom, relocating furniture, making conference rooms accessible).
- Improvements to restrooms (updating signage and mounting locations, adjusting coat hook heights, adjusting stall door closing mechanisms, adjusting stall door swing direction, and adding pulls to inside of stall doors).

TDOT is actively developing a statewide tracking and monitoring system for barrier removal. In 2024, TDOT's ADA Office completed on-site reviews of previously evaluated facilities to confirm what barriers have been removed since 2019. A summary of observations can be found on the TDOT ADA Web page at <https://www.tn.gov/tdot/government/g/ada-office0/transition-plan.html>

2.3 Public Rights-of-Way Review

2.3.1 TDOT Responsibilities

TDOT has limited responsibility or authority over streets, roads, or walkways; however, it is TDOT's goal that cities provide curb ramps or other sloped areas where pedestrians walk to allow persons with disabilities to cross curbs. All local projects on state right-of-way or funded with state or federal funds are reviewed to confirm TDOT accessibility standards are used, as required under TCA 7-31-114(c).

7-31-114. Installation of ramps at crosswalks.

(a) Every incorporated city and town shall install ramps at crosswalks, in both business and residential areas, when making new installations of sidewalks, curbs or gutters, or improving or replacing existing sidewalks, curbs or gutters, so as to make the transition from street to sidewalk easily negotiable for persons with disabilities in wheelchairs and for other persons who may have difficulty in making the required step up or down from curb level to street level.

(b) "Ramps," as used in this section, means a sloping asphalt or concrete surface, from the level of the sidewalk or curb to the level of the street at curbside, extending outward and downward from the curb to the street for such a distance, at such an angle, and at such a width as will facilitate the movement up and down such ramps of persons in wheelchairs or persons who have difficulty in stepping up or down between curb level and street level.

(c) All such ramps shall be constructed or installed in accordance with design specifications for the ramps prepared by the department of transportation. The department shall make available to such municipalities design standards for such ramps.

HISTORY: Acts 1974, ch. 544, §§ 1, 2; T.C.A., § 6-1014; Acts 2011, ch. 47, § 4.

Although TDOT only maintains curb face to curb face under TCA 54-5-202, TDOT's policy since 2007 has been to install or replace curb ramps during roadway resurfacing projects. Furthermore, any public request for curb ramps is addressed quickly and in accordance with TDOT's Grievance Policy.

54-5-202. Width and character of highways in municipalities. – *The streets so constructed, reconstructed, improved and maintained by the state shall be of such width and type as the department may think proper, but the width so constructed, reconstructed, improved and maintained shall not be less than eighteen feet (18); and, in the case of resurfacing and maintenance, from curb to curb where curbs exist, or the full width of the roadway where no curbs exist. [Acts 1929, ch. 42, § 2; Code 1932, § 3243; Acts 1947, ch. 123, § 2; C. Supp. 1950, § 3243; impl. am. Acts 1959, ch. 9, § 3; T.C.A. (orig. ed.), § 54-532; Acts 1981, ch. 264, § 12.]*

Cited: McDonald v. Scott County, 169 Tenn. 374, 87 S.W.2d 1019 (1935).

54-5-203. Maintenance by municipality – Reimbursement. – *Where a municipality is organized for the care of its own streets, the construction, reconstruction, improvement, and maintenance may be done by the municipality, which shall be reimbursed by the state; provided, that all expenditures shall be subject to the approval of the department. [Acts 1929, ch. 42, § 3; Code 1932, § 3244; Acts 1947, ch. 123, § 3; C. Supp. 1950, § 3244; impl. am. Acts 1959, ch. 9, § 3; impl. am. Acts 1972, ch. 829, § 7; T.C.A. (orig. ed.), § 54-533; Acts 1981, ch. 264, § 12.]*

Cited: McDonald v. Scott County, 169 Tenn. 374, 87 S.W.2d 1019 (1935).

54-5-204. Maintenance of highway by state. – *Where a municipality is not organized to care for its own streets and roads, the construction or maintenance shall be done by the state, either by contract or state forces. [Acts 1929, ch. 42, § 4; Code 1932, § 3245; Acts 1947, ch. 123, § 4; C. Supp. 1950, § 3245; T.C.A. (orig. ed.), § 54-534.]*

2.3.2 Curb Ramp Inventory and Review

From 2015 - 2019, TDOT collected digital right-of-way images, downward pavement images, pavement distress, roughness, rutting, faulting, and high-definition ground LiDAR data on all of Tennessee's interstate routes, state routes, non-state National Highway System (NHS) routes, and roadway ramps for the purpose of pavement management. All routes in Regions 3 and 4 were collected in even-numbered years, all routes in Regions 1 and 2 were collected in odd-numbered years, and all of Tennessee's interstate highway and NHS routes were collected statewide every year. This inventory included the collection of data along approximately 19,700 miles throughout the state.

In February 2019, TDOT staff began using the LiDAR data to develop a comprehensive inventory of existing curb ramps within all four regions. A GIS database was developed to document the total number of existing curb ramps, the total number of missing curb ramps, and whether each curb ramp appeared to be consistent with one of the current TDOT Standard Drawings.

The following is a summary of the **TDOT Inventory of Barriers Along State Highways**:

- Total number of curb ramps identified along the state highway system: approximately 30,000.
- Curb ramps, which appear to be consistent with 2011 Proposed PROWAG and TDOT Standards: approximately 25,500.
- Curb ramps which appear to NOT be consistent with either PROWAG or TDOT's current curb ramp Standard Drawings (MM-CR-2 through MM-CR-8): approximately 1,600.
- Locations where a curb ramp is missing but sidewalks or other pedestrian facilities exist: approximately 3,100.

In addition to the curb ramp locations, select compliance measurements were recorded for all curb ramps, include the following:

- Curb ramp width
- Curb ramp slope
- Gutter cross-slope
- Side flare slope
- Truncated dome presence
- Truncated dome length
- Truncated dome width
- Truncated dome color
- Island width
- Drain grate
- Obstruction
- Turning space landing area width
- Turning space landing area length

While the LiDAR data provides TDOT with an approximate quantity of curb ramps brought into compliance or installed, a field review is performed prior to the start of all resurfacing projects to identify curb ramps requiring repair or installation along the corridor. A summary of compliance is provided in **Table 3**.

Table 3. Summary of Existing Curb Ramps Compliance based on LiDAR Data

Region	Curb Ramps
1	6,753
2	5,137
3	8,476
4	9,095
Total	29,461

2.3.3 State Highway System Completed Actions

Since 2007, all deficient or missing curb ramps associated with the scope of a resurfacing project have been constructed or brought into compliance as part of that project, which also includes the associated pedestrian street crossings where applicable. This effort will continue in conjunction with TDOT's Resurfacing Program. As of 2023, TDOT maintains nearly 38,000 lane miles, and resurfacing projects are prioritized based on existing pavement conditions, such as distress, roughness, traffic level, and pavement age. However, if TDOT receives ADA complaints, locations with accessibility concerns may be prioritized above those locations with poor pavement conditions.

All TDOT inspectors have access to the curb ramp inventory, and TDOT is actively developing a statewide tracking and monitoring system for barrier removal, which includes an internal dashboard.

The following is a list of actions completed in support of TDOT's accessibility improvement program for the public rights-of-way:

- Adopted 2011 Proposed PROWAG as the public rights-of-way standard as stated in the "**Public Right of Way Standards**" memorandum (dated November 7, 2014).
- Completed an initial curb ramp inventory along the State Highway System (see **Section 2.3.2 Curb Ramp Inventory and Review**).
- Updated **Resurfacing P&SE Form** (dated 2019 – 2020) to identify accessibility deficiencies.
- Developed draft curb ramp evaluation field inspection forms, which TDOT is working to finalize. The inspection forms will complement the current PS&E forms.
- Developed **Access Due-Diligence Checklist for the Public Rights-of-Way** (dated November 2017) to complement the current PS&E forms.

- Revised *Pavement Resurfacing Program Standard Operating Guidelines* (dated April 2018) to include the rehabilitation of existing curb ramps and/or installation of new curb ramps as part of roadway resurfacing projects.
- Revised the *Multimodal Standard Roadway Drawings* (revised April 1, 2024) to be consistent with 2011 Proposed PROWAG.
- Revised the Standard Design CADD files and documents to be consistent with 2011 Proposed PROWAG and included a new tabulated quantity cell for curb ramp type, location, and quantity.
- TDOT is working to revise the *Roadway Design Guidelines* (revised September 19, 2023) to include a new Multimodal Project Scoping Manual and Design Chapter providing new guidance regarding ADA and accessibility for all roadway design projects.

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3.0 Public Involvement Process

3.1 Disability Organization Outreach

In 2015, the Consultant conducted telephone interviews with eight (8) disability rights organizations across the State. The organizations are in Memphis, Nashville, and Knoxville but service clients across a wide spectrum of the State. Disability Organization contact information is provided on page 8 of the *Disability Organization Interviews Summary Report* (dated October 7, 2016).

The following questions were asked of each agency:

- 1) Does your agency have multiple offices around the state?
- 2) If so, what are the locations of other offices?
- 3) Does your agency have a membership base?
- 4) Are members all over the state of Tennessee or regionally located?
- 5) How many members do you have?
- 6) If we had an opportunity for your members to participate in public meetings or Advisory Boards, would you be willing to disseminate our information?
- 7) How do you generally communicate to your groups?
- 8) Do you have a newsletter, blog post or website where members/constituents can get updated information?
- 9) If so, could we periodically post articles about job fairs or other activities we think would be interesting to your participants?
- 10) Where do you see the most interaction between your constituents and the Tennessee Department of Transportation (TDOT)?
- 11) Are you aware of any concerns your constituents have about accessibility to TDOT owned or operated facilities?
- 12) What is the number one complaint you hear about transportation related issues from your constituents?
- 13) Do you have any suggestions you would like to see TDOT implement?
- 14) Would your organization like to have a link on TDOT's website for people seeking information for people with disabilities in Tennessee?

Detailed disability organization interview responses are provided in the *TDOT Disability Organization Interviews Summary Report* (dated October 7, 2016).

In 2017, the Consultant Team also conducted an online survey with members of a select number of Tennessee disability rights organizations. The survey was web-based, and a link was provided to organizations that agreed to disseminate it to their constituents. The survey questions were as follows:

- 1) Are you a resident of Tennessee?
- 2) Describe your location?
- 3) There is no requirement that you disclose your disability with TDOT. However, if you would like to volunteer information in the comment box below you may. If you assist persons with disabilities, feel free to provide any details you feel would be beneficial.
- 4) Which Tennessee region do you spend the majority of your travel time?
- 5) Where do you have the most interaction with the Tennessee Department of Transportation? (example: highway, bus, public transit, rail, pedestrian, etc.)
- 6) Do you have any concerns with TDOT owned or operated facilities?
- 7) What is the number one complaint you (or those you assist) have regarding transportation services within the state of Tennessee?
- 8) Do you have any suggestions that you would like to see TDOT implement to better serve people with disabilities?
- 9) Contact information (not required)

Ninety-six (96) members of the disability community participated in the online survey. Detailed responses are provided in the *TDOT Individuals with Disabilities Survey Summary Report* (dated June 6, 2017), on file in the TDOT ADA Office and available for public review upon request.

In response to the information collected during both the phone interviews and online surveys, the TDOT ADA Office staff meet monthly with Metropolitan Planning Organization (MPO) and Rural Planning Organization (RPO) staff across the state to address any ADA questions or concerns. The ADA Office staff also attends the annual MPO and RPO conference to address any ADA questions or concerns. ADA training is conducted annually and posted on the ADA Office website, which is also recorded and posted on the TDOT Learning Network.

3.2 Tri-fold Pamphlet

A tri-fold pamphlet was developed for public distribution to communicate TDOT's Title II Discrimination Policy, basic requirements of ADA Compliance, steps to ADA compliance, TDOT's ADA Coordinator contact information, and web resources. Additional tri-fold pamphlets are being developed. A copy of the pamphlet is provided on the TDOT website: [TDOT Tri-fold Pamphlet](#) (not dated).

3.3 Disability Etiquette Document

A disability etiquette document was developed as a quick-reference guide when interacting with persons with disabilities. This document also includes TDOT's ADA Coordinator contact information. A copy of the document is provided on the TDOT website: [Disability Etiquette Document](#) (not dated).

4.0 Sub-Recipient Monitoring

4.1 Assurances

As a recipient of federal funding, TDOT is required to provide a written assurance, as well as acquire assurances from their sub-recipients, stating that as a federal recipient, all programs, services, and activities will be conducted in compliance with all requirements (per 49 CFR Part 27.9):

Each application for Federal financial assistance to which this part applies, and each application to provide a facility, shall, as a condition to approval or extension of any Federal financial assistance pursuant to the application, contain, or be accompanied by, written assurance that the program or activity will be conducted or the facility operated in compliance with all the requirements imposed by or pursuant to this part. An applicant may incorporate these assurances by reference in subsequent applications to the Department [of Justice].

4.1.1 License Agreement

TDOT's License Agreement, which is used when municipalities want to make improvements within TDOT ROW, includes a paragraph for ADA Assurances:

AMERICANS WITH DISABILITIES ACT ASSURANCES – *The Licensee for itself, its successors in interest and assigns, as part of the consideration hereof does hereby covenant and agree that in the event facilities are constructed, maintained, or otherwise operated on the property described in this License Agreement for a purpose for which the State or a State program or activity is extended or for another purpose involving the provision of similar services or benefits, the Licensee shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 28, Code of Federal Regulations, Parts 35 and 36, Nondiscrimination on the Basis of Disability in State and Local Government Services and Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities, and as said regulations shall be amended. The Licensee further agrees that if any pedestrian facilities are constructed, maintained, or operated on the property described in this License, the Licensee shall construct, maintain, and operate such facilities in compliance with the Architectural and Transportation Barriers Compliance Board's "Accessibility Guidelines for Pedestrian Facilities in Public Rights-of-Way" (proposed 36 CFR Part 1190; published in the Federal Register, July 26, 2011).*

4.1.2 Land Leases

TDOT currently has active land lease agreements with several different entities. The local agencies use TDOT-owned land to build trails that are available for public use. TDOT updated the land lease language to make the local agencies responsible for ensuring ADA compliance of all facilities constructed on TDOT land.

AMERICANS WITH DISABILITIES ACT ASSURANCES: *The LESSEE for itself, its successors in interest and assigns, as part of the consideration hereof does hereby covenant and agree that in the event facilities are constructed, maintained, or otherwise operated on the Leased Premises described in this LEASE for a purpose for which the STATE or a State of Tennessee program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 28, Code of Federal Regulations, Parts 35 and 36, Nondiscrimination on the Basis of Disability in State and Local Government Services and Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities, and as said regulations shall be amended. The LESSEE further agrees that if any pedestrian facilities are constructed, maintained, or operated on the Leased Premises described in this LEASE, the LESSEE shall construct, maintain, and operate such facilities in compliance with the Architectural and*

Transportation Barriers Compliance Board's "Accessibility Guidelines for Pedestrian Facilities in Public Rights-of-Way" (proposed 36 CFR Part 1190; published in the Federal Register, July 26, 2011).

4.2 Local Agency Monitoring

As a direct recipient of federal funds, TDOT is obligated to monitor its sub-recipients across the State of Tennessee. The following sections detail TDOT's current sub-recipient monitoring efforts.

4.2.1 Local Agency Assistance Interviews

In 2016, the Consultant Team conducted telephone interviews with the four (4) major Metropolitan areas (Memphis, Nashville, Chattanooga and Knoxville); the seven (7) minor Metropolitan areas (Clarksville, Murfreesboro, Bristol, Kingsport, Johnson City, Morristown and Cleveland), and with 50 cities located outside of the MPO's areas with a population of 5,000 or greater to determine the status of their ADA Self-Evaluation and their Transition Plan document. The following questions were asked of each agency:

- a) Does the City have a Transition Plan?
- b) If yes, has the City provided a copy of the Plan to TDOT?
- c) When was the Transition Plan developed?
- d) When was the Transition Plan updated?
- e) What is the status of the City's action plan to implement improvements?
- f) Does the City have an implementation program?
- g) If so, what is the City's timeline?
- h) Has the City identified an ADA/504 Coordinator?
- i) Name, address, telephone number, email address for the identified ADA/504 Coordinator for the agency.
- j) What special training has the ADA/504 Coordinator received?
- k) Has the City developed an advisory board or committee made up of local disability groups or individuals?
- l) If not, how is the City including the local disability community?

Of the 61 agencies contacted, only 38 agencies responded. The majority of TDOT's sub-recipients had not completed their requirements as Title II agencies under the ADA at the time of the interview. A summary of responses is provided in the *TDOT Local Agency Assistance Interviews Summary Report* (dated May 23, 2016).

4.2.2 Statewide Action Plan

In September 2016, the Tennessee Division of FHWA and the Federal Transit Administration (FTA) required that conformance with the ADA and Section 504 was required by December 1, 2016, which included the following:

- All affected Local Public Agencies (LPAs) (those with 50 or more employees) shall identify an ADA Coordinator; and
- TDOT will develop a Statewide Action Plan that defines when each LPA will complete their Self-Evaluation and individual ADA Transition Plan.

FHWA and FTA also required that the State and affected LPAs' ADA Transition Plan be completed prior to federal approval of the Fiscal Year 2020-2023 Statewide Transportation Improvement Program (STIP) and the 2020 Statewide Planning Funding in December 2019.

- Accordingly, TDOT distributed a letter in November 2016 to all LPAs that reiterated the LPAs' responsibilities and provided a schedule for completion.

December 2016

- Communities with 50 employees or more in their jurisdiction must provide TDOT with documentation stating they have named a qualified person as their ADA Coordinator
- Communities must provide TDOT the Coordinator's contact information.
- Communities must develop and publish an ADA grievance procedure.

December 2017

- Communities must provide a written letter from the Mayor outlining the development of their Transition Plan.
- Letter from the Mayor must be adopted by the City Council or County Commissioners using the cities or county's own procedures.

September 2018

- Communities must provide documentation showing they have completed or are making significant progress towards completing an ADA Transition Plan and Self Evaluation.
- All self-certification forms are expected to be returned to TDOT.
Note: Projects may not be advanced within the city or county without this self-certification form.

December 2019

- FHWA will require all Transition Plans be completed prior to communities' resigning TIP certification.

At the end of 2016, TDOT required all cities and counties applying for funding to complete and submit a TDOT Local Agency ADA Compliance Certification. This form has been replaced by the Local Agency ADA Self-Evaluation and Transition Plan Status Form (dated January 2022) and Local Agency ADA Transition Plan 3-Year Self-Certification Form (dated January 2022) discussed in **Section 4.3 Local Agency Compliance Status Monitoring**.

A sample of the letter sent to sub-recipients is provided on the TDOT website: [Sample Letter to LPAs](#).

TDOT has continued to follow up with all sub-recipients so that overall compliance with the Title II requirements can be better understood and documented. Monitoring is accomplished using the Local Agency ADA Self-Evaluation and Transition Plan Status Form (December 2024) and Local Agency ADA Transition Plan 3-Year Self-Certification Form (dated January 2022), which are provided on the TDOT website: [Local Agency ADA Self-Evaluation, Transition Plan, and Self-Certification Status](#).

4.2.3 Local Agency ADA Self-Evaluation and Transition Plan Status

The ADA Self-Evaluation and Transition Plan Self-Certification Form is used to certify that a local agency has been working to develop an ADA Self-Evaluation and Transition Plan to ensure the local agency's commitment toward compliance with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973. The form requires the following information be provided to TDOT:

- Status of Self-Evaluation (not started/in-progress and projected completion date).
- Status of Transition Plan (not started/in-progress and projected completion date).
- Name and contact information of the official in charge of developing the Transition Plan.
- Name and contact information of the ADA Coordinator.
- Publication location(s) of the ADA Grievance Procedure.
- Copy of the ADA Transition Plan if it exists.

4.2.4 Local Agency ADA Transition Plan 3-Year Self-Certification

The ADA Transition Plan 3-Year Self-Certification Form is used to certify that a local agency has been updating the agency's ADA Transition Plan to ensure the local agency's commitment toward compliance with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973. The form requires the following information be provided to TDOT:

- Status of the ADA Transition Plan (brief description of updates).
- Publication location(s) of the ADA Transition Plan (web address, public notices, etc.).
- Name and contact information of the ADA Coordinator.
- Name, contact information, and signature of the Municipality Mayor.
- Copy of supporting documentation.

4.2.5 Summary of Local Agency Compliance Status

A current list of local agency information provided by local agencies using the Local Agency ADA Self-Evaluation and Transition Plan Status Form and Local Agency ADA Transition Plan 3-Year Self-Certification Form is provided on the TDOT website: [Summary of Local Agency Compliance Status](#). **Table 4** summarizes the local agency compliance status as of August 2024 for 216 local agencies.

Table 4. Local Agency Compliance Status

Item	Yes	No	Percent Compliant
ADA Self-Certification Form Received	189	10	95%
ADA Coordinator	199	0	100%
ADA Grievance Procedure	179	20	90%
Responsible Official for ADA Transition Plan	199	0	100%
Transition Plan Status	195	4	97.5

4.3 TDOT Municipality Training

To educate sub-recipients on their obligations under Title II of the ADA, TDOT conducted four (4) full-day training sessions in 2016 in each TDOT Region to provide municipalities with an overview of the requirements for compliance with the ADA. A total of 136 attendees from four regions were present as summarized in **Table 5**.

Table 5. TDOT Municipality Training

Date	Location/Region	Attendance
Tuesday, 7/19/16	Region 4	25
Thursday, 7/21/16	Region 3	41
Tuesday, 7/26/16	Region 1	46
Thursday, 7/28/16	Region 2	24

The following topics were covered during each training:

ADA Legal Background

This section covered legal cases that have challenged municipalities and provided precedence for compliance. Attendees gained an understanding of Federal agency involvement, including their commitment to enforcing the ADA, and how Federal agency involvement affects public agencies throughout the State.

ADA Overview

This section provided an overview of the ADA and why is it necessary. The Consultant Team provided a clear understanding that the ADA is a civil rights law, the ADA standards and history, and how these laws are compiled.

Transition Plan Development

The ADA requires that Title II entities (state and local governments) have an organized approach to access, through each policy for all departments. This section helped each attendee understand their roles for developing a comprehensive Transition Plan for their agency.

Proposed Accessibility Guidelines for Pedestrian Facilities in The Public Right-of-Way (PROWAG) Overview

PROWAG is a stand-alone document. It is in the rule making process and addresses various public rights-of-way issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain.

PROWAG Technical Requirements

This training explained the technical requirements for pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way were reviewed. Trainers also discussed the reasoning behind these requirements.

Data Collection

This section covered the following: what facilities to evaluate, how to prioritize facilities for evaluation, and how to evaluate each facility, including recommendations to remove barriers and cost projections.

5.0 Transition Plan

The Transition Plan combines the observations of the programs, policies, and procedures review and facility review. Specific program, policy, and procedure recommendations are provided in **Section 2.0 Self-Evaluation**. The specific infrastructure modifications required to make programs accessible are provided in detailed facility reports. Each facility report contains a complete list of architectural barriers and barrier removal actions.

5.1 Designation of Responsible Officials

5.1.1 ADA Coordinator

A public entity is required to designate at least one responsible employee to coordinate its efforts to comply with the ADA, implement this plan, and oversee any grievances or concerns. TDOT's ADA Coordinator may be contacted via the following information:

Shanna Chevalier
Statewide ADA Technical Specialist
Tennessee Department of Transportation
12th floor, James K. Polk Building
505 Deaderick St.
Nashville, TN 37243
Phone: 615.741.0465
Tennessee Relay: 7-1-1
TDOT.ADACompliance@tn.gov

TDOT is not required by the ADA to modify a policy, program, service, or activity if the change would result in a fundamental alteration in the nature of a program or activity, would create a hazardous condition for other people, or would represent an undue financial and administrative burden. The ADA Coordinator will document the TDOT's response to grievances and requests for accommodation, including the resources considered and the methodology used to determine how the accommodation or modification would impact programs or resources.

5.1.2 ADA Transition Plan Implementation Official

Per 28 CFR 35.150(d)(3)(iv), TDOT has identified an official responsible for the implementation of the ADA Transition Plan. The responsible party is the current Transportation Commissioner:

Commissioner, Transportation
505 Deaderick Street, Suite 700
Nashville, TN 37243
Phone: 615.741.2848
TDOT.Comments@tn.gov

5.2 Implementation Schedule

5.2.1 Facility Improvements

Table 6 details the barrier removal costs and proposed implementation schedule by region for all evaluated facilities. This 10-year plan (2025 – 2035) will serve as the implementation schedule for the Transition Plan. TDOT reserves the right to change the barrier removal priorities on an ongoing basis to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, and changes in TDOT programs.

Table 6. Facility Implementation Schedule

Region	2024 Estimated Cost*	Implementation Schedule (years)	Approximate Annual Budget
1	\$ 1,789,791	10	\$ 178,979
2	\$ 1,175,946	10	\$ 175,995
3	\$ 1,527,613	10	\$ 152,761
4	\$ 1,282,941	10	\$ 128,294
HQ	\$ 333,413	10	\$ 33,341
Total	\$ 6,693,703		
Total Annual Budget			\$ 6,693,703

* A 10% inflation factor was applied to the 2019 estimated costs shown in **Table 2** and rounded for simplification.

5.2.1 State Highway System Improvements

The responsibility for installing new or maintaining existing facilities within TDOT right-of-way is the responsibility of the local governments. TDOT has been providing surface transportation funds to local governments to assist with accessibility improvements and coordinate with these agencies during future projects to address compliance issues within the scope of the projects as part of their ADA Transition Plan. In 2007, TDOT began assisting local governments ADA compliance by addressing needed repair and/or installation of curb ramps as encountered through the resurfacing program.

Over the next eight years, curb ramps along state roadways will be upgraded to meet compliance standards. Under the Project Preservation Curb Ramp Program, non-compliant curb ramps will be identified and brought into compliance before resurfacing begins, all under the guidance of the Pavement Preservation Program's Curb Ramp Program. This schedule aligns with the pavement preservation timeline. Resurfacing projects are selected by TDOT district and regional staff based on pavement age and condition. **Table 7** details the barrier removal costs and proposed implementation schedule by region for all evaluated curb ramps.

Table 7. Curb Ramp Implementation Schedule

Region	Estimated Cost	Implementation Schedule (years)	Approximate Annual Budget
1	\$522,900	8	\$4,183,200
2	687,600	8	\$5,500,800
3	\$863,100	8	\$6,904,800
4	\$926,400	8	\$7,411,200
Total	\$3,000,000		
Total Annual Budget			\$24,000,000,000

As an example, curb ramps along highway corridors identified for 2024 – 2025 resurfacing have been identified and are summarized in **Table 8**.

Table 8. Curb Ramp Summary for 2024 – 2025 Resurfacing Projects

Region	Corners with Curb Ramps Not Required	Curb Ramps Required but Missing	Existing Curb Ramps
1	207	468	6,285
2	118	809	4,328
3	2,348	324	8,152
4	410	740	8,355
Total	3,083	2,341	27,120

5.3 Funding

TDOT intends to continue funding ADA improvements as part of annual maintenance and construction work programs. Accessibility elements are included in all new construction plans to ensure full compliance with the ADA.

5.4 Monitoring and Reporting Progress

TDOT intends to use the Transition Plan for yearly planning of projects and funding decisions. The ADA Coordinator will continue to be responsible for ensuring that the design and construction of TDOT's transportation system projects are in compliance with the ADA Standards and PROWAG. In 2018, TDOT developed policies and procedures associated with monitoring and reporting progress for facilities, which include updating the implementation status of identified deficiencies, updating the existing conditions to account for changes in the field, and documenting new areas of non-compliance. TDOT is actively working to establish a monitoring and reporting process with PDN.

The TDOT ADA Transition Plan is a "living document" that will be reviewed annually for compliance and validity.

5.5 ADA Transition Plan Training Presentation

A presentation was created to summarize how and why TDOT developed their ADA Transition Plan, which the ADA Coordinator uses as an educational and training tool at least once a year in each region. The presentation includes the following:

- Applicable laws and requirements.
- An overview the Transition Plan development process.
- Facilities included in the Self-Evaluation.
- Example recommendations for barrier removal.
- Prioritization considerations and funding options for improvements.
- Proposed schedule for improvements.
- Next steps in finalizing TDOT's ADA Transition Plan.

TDOT intends to post the training on the Learning Network.

5.6 Upcoming TDOT Initiatives

- Review all current TDOT documents related to the ADA
 - Confirm ADA Coordinator name and contact information is correct.
 - Confirm no hyperlinks are broken from website update.
 - Consider updating all documents for consistent file naming (currently named as 2019 ADA Transition Plan Appendix files).
 - Date all documents.
 - Confirm all documents posted on the TDOT website meet the Title II accessibility requirements for web content and mobile applications.
- Adopt 2023 Final PROWAG following DOJ and DOT adoption
- Once Final PROWAG is adopted by TDOT, review and update all affected TDOT documents for consistency with 2023 Final PROWAG
 - Engineering Division, ADA Office Resources
 - [ADA Questions and Answers Document](#) (not dated)
 - [Review of ADA Detectable Warning Surface Color Memo](#) (dated October 15, 2021)
 - [ADA Project Compliance Scenarios for Traffic Signal Projects](#) (dated September 2020)
 - [Public Rights of Way Standards Memo](#) (dated November 7, 2014)
 - [Access Due Diligence Checklist: Public Rights-of-Way](#) (dated November 2017)
 - Engineering Division, Engineering Production Support Resources
 - [Standard Drawings Library - Standard Roadway Drawings](#) (revised May 1, 2024)
 - [Standard Drawings Library - Standard Traffic Drawings](#) (created November 22, 2017)
 - [Design Standards - Roadway Design Guidelines - PDN](#) (revised August 1, 2024)
 - [Design Standards - Roadway Design Documents - PDN](#) (revised August 21, 2024)
 - [Design Standards - Instructional Bulletins](#) (various dates)
 - [Design Standards - Pavement Design Manual](#) (revised August 26, 2024)
 - [Design Standards - Roadway Design Training](#) (revised January 3, 2024)
 - [Program Development and Administration Support - Roadway Design Guidelines](#) (revised September 19, 2023)

- [Program Development and Administration Support - Roadway Design Documents](#) (revised August 21, 2024)
 - [Program Development and Administration Support - Instructional Bulletins](#) (various dates)
 - [Standard Specifications for Road and Bridge Construction](#) (dated January 1, 2021)
 - [Local Government Guidelines](#) (8th ed., dated June 1, 2023)
 - [TDOT Construction Phase Overview 2024 Supplemental Materials](#) (dated 2024)
 - [Roadway Design Guidelines and Project Scoping Guide](#) (under development)
- Materials and Tests Division Resources
 - [Research & Product Evaluation and Qualified Products List](#)
- Traffic Design Division, Traffic Division Resources
 - [Traffic Design Manual](#) (not dated)
 - [Work Zone Safety and Mobility Manual](#) (updated 5/3/19)
- Human Resources, Learning & Development
 - [Various trainings](#)
- Implement outstanding 2019 Transition Plan recommendations
 - Update forms associated with the Local Government Guidelines for the Management of Federal and State-Funded Transportation Projects (dated 6/1/23) (see **Section 2.1.8.1 Local Government Guidelines**).
 - Adopt-A-Highway Program (see **Section 2.1.10 Adopt-A-Highway**)
- Review TDOT documents and resources that were not reviewed as part of 2019 ADA Self-Evaluation
 - Public Affairs & Community Relations, Public Involvement & Communication
 - [Request a Speaker](#)
 - [Public Records Request](#)
 - [Record-A-Comment](#)
 - [TDOT Public Involvement Plan](#) (not dated)
 - [Public Meetings](#)
 - [Board Meeting](#)
 - [Hearings](#)
 - Public Affairs & Community Relations, Multimedia Center
 - [Facebook](#) (myTDOT)
 - [Twitter](#) (myTDOT)
 - [YouTube](#) (TDOTnews)
 - [Instagram](#) (my_tdot)
 - [LinkedIn](#) (Tennessee Department of Transportation)
 - Central Services
 - [TDOT SmartWay](#)
 - Human Resources, TDOT Careers
 - [Hiring Events](#)
 - [TDOT Summer Internship Program](#)
 - [Executive Leadership Opportunities](#)

- **Graduate Transportation Engineering Program**
 - Workplace Discrimination and Harassment/Compliant Procedures (Policy Number: 105-02, dated March 19, 2012)
- Procurement and Contracts Division
 - Non-discrimination language for non-federal contracts, agreements, and waivers (under development)
- Program Development and Administration
 - **Training**
- Asset Management Division
 - **Debris Removal**
 - **Potholes**
- Environmental Division, Highway Beautification Office
 - **Adopt-A-Highway**
 - **Litter Grant Program**
- Evaluate facilities that were not reviewed as part of 2019 ADA Self-Evaluation
 - Region 2 building (7512 Volkswagen Dr., Chattanooga, TN 37421)
 - Aeronautics Hanger (7335 Centennial Blvd., Nashville, TN 37209)
 - Rest Area #3 (I-24 eastbound, Marion County, Mile Marker 160.0)
 - Welcome Center #26 (I-55 northbound, Shelby County, Mile Marker 3.10)
 - Welcome Center #34 (I-26 eastbound/westbound, Sullivan County, Mile Marker 5.0)
 - Welcome Center #35 (I-40 westbound, Haywood County, Mile Marker 44)
 - Geodetics (6604 Centennial Boulevard, Nashville, TN 37243)
- Develop policies and procedures specific to ADA Title II
 - Reasonable modification request policy, procedures, and request form
 - Nondiscrimination policy statement
 - Alternate format policy, procedure, and request form
 - Effective communication policy, procedure, and request form
 - Service animal guidance/policy
 - Event planning guidance/policy/checklist (under development)
 - Retaliation and coercion policy
 - Disclaimer statement for other entities' links, forms, documents, and videos
- Staff Training
 - Develop training on ADA Standards for Facility Managers
 - Develop curb ramp inspection training videos to enhance staff awareness of proper curb ramp inspection techniques
 - Develop training on hosting public meetings, hearings, events, etc.
 - Training can be requested from the ADA Office here: <https://www.tn.gov/tdot/government/g/ada-office0/training-opportunities.html>

- Recommitment of leadership to implement the Transition Plan
- Headquarters to develop policies for statewide use
 - Funding requests and allocation
 - Challenges
 - Maintenance budget only
 - No funding is currently being allocated towards implementation
 - Identify funding sources
 - No process in place for annual funding allocation
 - Develop process for funding requests and allocation, including timeline
 - Implementation
 - Identify the person in charge of implementation
 - Provide guidance to staff on how to implement in-house projects
 - Provide guidance to staff on how curb ramps will be brought into full compliance for locations with design challenges that were not able to be adequately addressed during a resurfacing project. Existing curb ramps may be retrofitted to be more compliant as part of the resurfacing project, but physical constraints that may require additional budget or coordination (e.g., utility conflicts) often limit what accessibility improvements can be made. There is not currently a process in place to revisit these locations to achieve full compliance.
 - Need to separate maintenance vs. capital improvement projects
 - Facility Prioritization
 - Rest Stops and Welcome Centers
 - Buildings constructed after July 26, 1991
 - Confirm implementation schedule is feasible for facilities (currently 2035 completion date)
 - Confirm implementation schedule for public rights-of-way
 - Implementation tracking and monitoring
 - Determine who will be verifying compliance once improvements are implemented
 - Determine how compliance will be verified
 - Develop a consistent documentation process for barrier removal tracking
 - Determine what reporting metrics are desired

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