



Disability
Rights
Oregon

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FAQs: Making Street Crossings Safer

Portland, Oregon—Curb Ramps in Oregon must comply with the landmark settlement agreement in *AOCIL v. ODOT*.

How many locations throughout the state have curb ramps that don't comply with the ADA?

- To get an up-to-date number of substandard curb ramps, ODOT is undertaking a statewide survey that will be completed by December 31, 2017. Each location may have more than one curb ramp.
- According to a 2008 survey, approximately 15,000 locations on state highways had missing or noncompliant curb ramps.

What are examples of problems that people with disabilities have encountered as a result of substandard or missing curb ramps?

- Poorly-constructed or missing ramps prevent people with disabilities from accessing the most important streets in their cities and towns.
- They force people who use wheelchairs to navigate their chairs in traffic on busy highways. A few examples are:
 - In Portland, broken and missing curb ramps on Lombard Street in North Portland prevent people in wheelchairs from safely using public transit and going to stores;

- In Bend, missing curb ramps on Greenwood Avenue force Jordan Ohlde to wheel his chair in the bike lane along the road;
- In Roseburg, Martha Mae Bryson had to turn her wheelchair around in traffic and go up badly-constructed ramps in reverse because her chair would tip over or get stuck if she went forward up the ramps.

What changes will ODOT make to curb ramps?

- ODOT will evaluate curb ramps along the state highway system to identify major improvements needed for pedestrian accessibility and install missing curb ramps and improve those that are unusable.

When will ODOT complete the audit?

- ODOT will complete their audit of curb ramps by the end of this year: December 31, 2017.

What's the timeline for completing the upgrades?

- Per the agreement, ODOT will ensure compliance of:
 - 30 percent of curb ramp locations by December 31, 2022
 - 75 percent of curb ramp locations by December 31, 2027
 - 100 percent of curb ramp locations by December 31, 2032

Construction will make it difficult for people to access routes. What supports will be available?

- To ensure that people with disabilities have safe and accessible routes to travel during construction, ODOT will provide temporary routes that are accessible to pedestrians with physical disabilities through and around work zones.
- ODOT will also try to provide at least 10-day notice prior to the beginning of construction, and work with towns and cities to ensure that there is sufficient signage about the alternative routes.

Pedestrian Crossing Signals

What are examples of problems that people with disabilities have encountered as a result of substandard crossing signals?

- In East Portland, Laurie Sitton is unable to reach the pedestrian crossing button to cross 122nd. The inaccessible slope prevents her from balancing her chair. The pole's raised cement base, on which the signal is fastened, blocks her approach, and the height of the button makes it unreachable.

What changes did ODOT agree to make?

- ODOT agreed to conduct an audit of pedestrian crossing signals at all curb ramp locations along state highways to assess their compliance with the reach, height and landing requirements of the ADA and other guidance.

When will ODOT complete the audit?

- ODOT will complete their audit of pedestrian crossing signals by the end of this year: December 31, 2017.

What's the timeline for fixing any deficiencies?

- Following the audit's completion, the parties to the agreement will negotiate a timeline for making improvements to the crossing signals identified in the audit. Pending an agreement about the timeline, ODOT will improve pedestrian signals when it fixes curb ramps.

What's an audible crossing signal?

- Audible signals provide information in a non-visual format such as audible tones, speech messages and/or vibrating and tactile surfaces.

Will ODOT install audible crossing signals?

- If an individual or the community requests an audible pedestrian signal, ODOT will assess whether the locality has a written policy to install audible pedestrian signals and, if so, work with the locality.
- In the absence of a local policy, ODOT will evaluate whether the requested crossing is the best place to put the audible signal, and will install it unless ODOT determines that there is a reason not to.

Priorities

Which intersections will be included in the "quick-start commitment"?

- Disability Rights Oregon solicited priority locations from the Association of Oregon Centers of Independent Living and the broader community of people with disabilities around the state to share with ODOT.
- The goal of the “quick-start commitment” is to help ODOT begin design work as quickly as the locations are identified.

How will ODOT decide which curb ramps and signals to prioritize?

- ODOT will give high priority to missing curb ramps and existing ones that present a barrier to access as a result of having:
 - A too-steep slope that puts them at risk of losing control of the wheelchair
 - A lip at the bottom of the ramp that’s too high, potentially stranding people with wheelchairs in the street
 - Insufficient space for a wheelchair to turn
- ODOT will prioritize crossings that serve government offices and facilities, public transportation, places of public accommodation, places of employment and continuity of routes.
- Other ODOT priority areas include:
 - Missing or non-compliant curb ramps where there have been wheelchair pedestrian fatalities since 2010 and locations of any future wheelchair fatalities;
 - Existing curb ramps missing “truncated domes”—a series of surface bumps to alert people with vision impairments that they are approaching a street;
 - Missing and non-compliant curb ramps at cities, towns or communities locations without public transit that have sidewalks and curb ramps;
 - Missing and non-compliant curb ramps on critical corridors recommended by representatives of the disabled community

How do I report a problem that I’m having with access?

[Accessibility complaints related to this agreement](#): You can use the “ADA Accessibility Requests” complaint form located [here](#) on ODOT’s website.

511 SW 10th Avenue, Suite 200 / Portland, OR 97205
 Voice: 503-243-2081 or 1-800-452-1694 / Fax: 503-243-1738 / www.droregon.org
 Disability Rights Oregon is the Protection and Advocacy System for Oregon

Accessibility complaints not covered by this agreement: You can submit your complaints about issues outside of this agreement, but within ODOT's control—such as railroad crossing without barriers or sidewalk obstacles that make it impossible for you to reach the curb ramp or use the signal—using the "[Ask ODOT](#)" form on its website.

Accountability & Transparency

How will we know that ODOT has met these goals?

- ODOT will hire an accessibility expert approved by both parties to review, assess and make recommendations around ODOT's policies, practices, training, forms, and guidance pertaining to curb ramps and pedestrian crossing signals. The expert will:—Conduct quality assurance field checks of a sampling of new or remediated curb ramps and pedestrian crossing signals
—Submit public reports on ODOT's compliance with the agreement. The reports will be available on ODOT's website

How can I find out about ongoing updates and progress reports?

- During each year of the agreement, ODOT will issue a report that details the number of curb ramps locations fixed and the number remaining in need of upgrade. All reports will be prominently posted on ODOT's website.
- ODOT and AOCIL will try to hold at least four public meetings a year through 2021 across the state to update the public about its progress toward meetings the goals outlined in the agreement and solicit public comment.
- ODOT will also provide updates on alternate routes that are available to the public during construction.

How will these upgrades be paid for?

- ODOT has agreed to make an initial investment of \$5 million to improve priority curb ramps and associated pedestrian signals identified by plaintiffs.
- The state must spend whatever is necessary to complete the upgrades outlined in the agreement.
- ODOT has designated \$18 million for spending on curb ramps and other ADA features for the program cycle that begins in 2018.

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