



Delaware Statewide



Pedestrian Action Plan

*Phase 1:
Policy Analysis
Document*

Appendix Items



July 2007



Delaware Statewide Pedestrian Action Plan Phase I: Policy Analysis Document Appendix Items

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July 2007

Acknowledgements

The Policy Analysis for the Delaware Statewide Pedestrian Action Plan was developed with assistance and input from the following groups.

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John Rendle	American Lung Association of Delaware
Steve Borleske	Civic Association in New Castle County
Carl Solberg	Homeowners Association in Kent County
Gary Emory	Civic Association in Sussex County
Dan Bockover	Council of Civic Organization of Brandywine Hundred
Chris Asay	Physical Activity Advocate in Kent County
Mike Tyler	Sussex Cyclists
Chris McEvilly	Wilmington Metropolitan Area Planning Council
Nicholas DiPasquale	Dover – Kent County Metropolitan Planning Organization
Don Mulrine	Delaware League of Local Governments
Wayne Carter	Architectural Accessibility Board
Milton Daves	Physically Disabled Citizen
Lloyd Schmitz	Elderly Disabled Transit Advisory Committee
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Mark Alexander	Delaware Department of Transportation – Maintenance and Operations
Marc Cote	Delaware Department of Transportation – Planning
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Introduction

Executive Order No. 83 identified the establishment of an Advisory Council on Walkability and Pedestrian Awareness (Advisory Council) to provide input throughout the planning process. Additionally, DelDOT established a Technical Advisory Committee (TAC) to assist with policy analysis, technical guidance and development of the plan. Appendix A provides an explanation of the role of the Advisory Council and details of meetings with this group. Appendix B provides an explanation of the role of the TAC and details of meetings with this group.

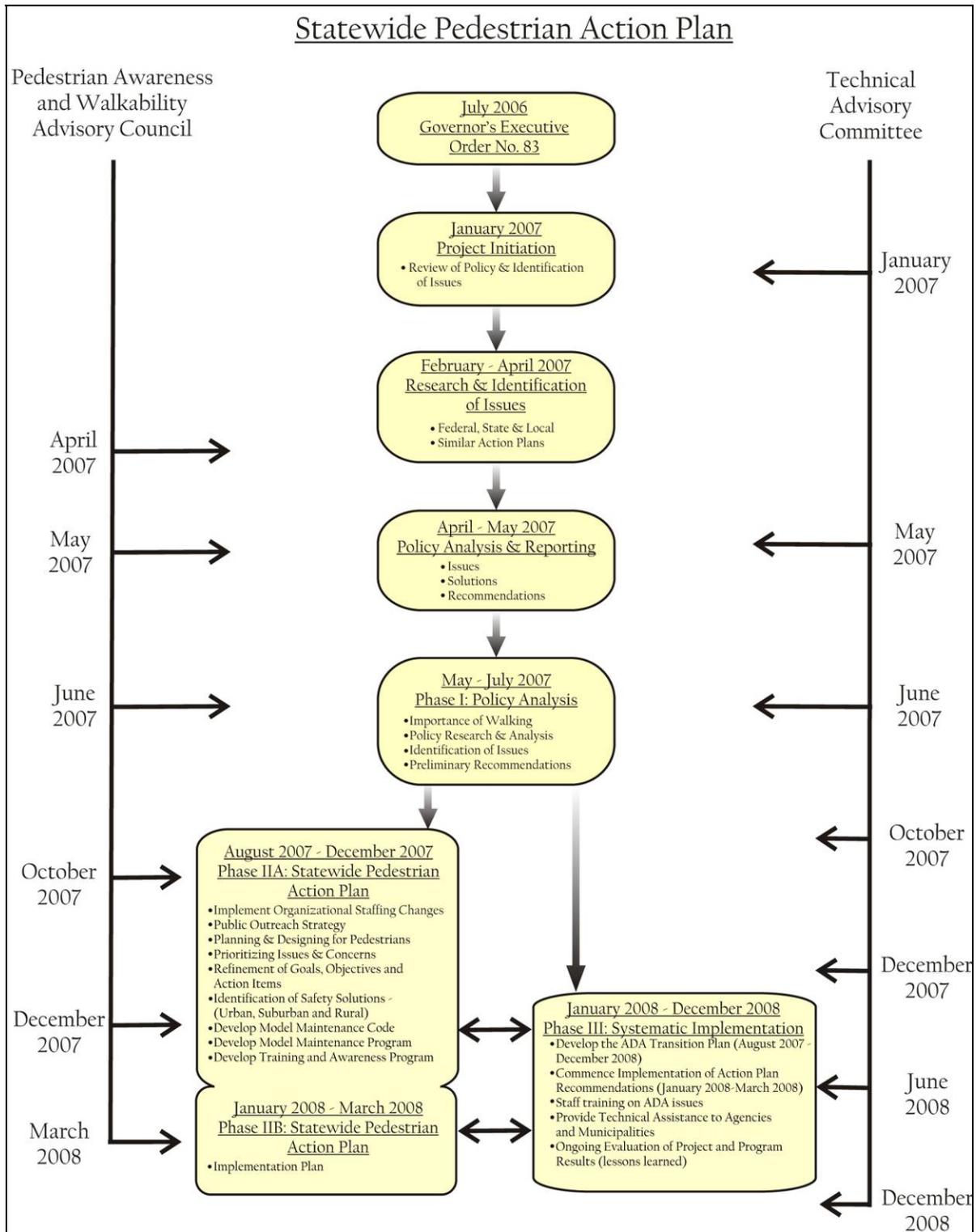
The development of a Statewide Pedestrian Action Plan is part of an ongoing process with an emphasis on achieving the vision of making walking central to personal mobility and fitness. Successful development and implementation of a Plan relies largely upon the collaboration of state, regional, and local agencies, as well as partnership with private organizations and businesses, and most importantly, the citizens of Delaware.

Planning Process

The Statewide Pedestrian Action Plan is being developed in two phases followed by systematic implementation. Phase I consists of policy analysis and Phase II focuses on development of the Action Plan. Phase III, Systematic Implementation will consist of development of a facility inventory and phased Transition Plan. Each phase of project development is depicted on the process diagram outlined on the following page. In the analysis of relevant policies, the benefits of walking and pedestrian facilities are discussed. These benefits include walking and pedestrian activity as a fundamental requirement of daily life, health, transportation, and the community. The most common concerns and issues related to pedestrian safety, access and mobility are outlined in the document. An overview of the policies, regulations, and practices at the federal, state, county and municipal levels is presented as well. The document includes recommendations such as a vision statement to achieve walkability with plan goals and objectives. Additional recommendations are presented in the form of Action Items required to be implemented as part of Phase II of the plan development process.

Phase II of the plan development process includes establishment of baseline conditions for characteristic areas across the state through observation of pedestrian activity, as well as identification of safety and land use development issues. Phase I of this study was designed to support plan development by identifying pedestrian trends and characteristics; identifying plan goals and objectives; and, prioritizing issues and concerns. Phase II will include technical analysis to support changes to policies, procedures and regulations necessary to accomplish specific goals and objectives outlined in this document. A **Best Practice Guide** to be developed during Phase II will outline design standards for pedestrian facilities. The identification of countermeasures, implementation strategies, and evaluation methods will also be addressed in the Statewide Pedestrian Action Plan. Phase III will focus on implementation.

Diagram 1: Planning Process Diagram



Appendix A: Pedestrian Awareness and Walkability Advisory Council

Advisory Council Meetings

The Advisory Council on Walkability and Pedestrian Awareness was established to assist DelDOT with the development of a Statewide Pedestrian Action Plan. The Council, appointed by the Governor and serving at the Governor's pleasure, represents a broad range of community interests. The Council's role is to assist DelDOT with the development, adoption and implementation of a Statewide Pedestrian Action Plan. The Council will participate in all phases of plan development. The Council consists of representatives from the following organizations and interests.

- Division of Planning, Delaware Department of Transportation
- Division of Parks and Recreation, Department of Natural Resources and Environmental Control
- Office of Highway Safety, Department of Safety and Homeland Security
- Delaware Greenways
- American Heart Association of Delaware
- American Lung Association of Delaware
- A civic or homeowners association from each county
- An organization that promotes physical activity, including walking, from each county
- The Public Advisory Committee of the Wilmington Metropolitan Area Planning Council
- The Public Advisory Committee of the Dover/Kent County Metropolitan Planning Organization
- The Delaware League of Local Governments
- The Architectural Accessibility Board
- The physically disabled
- The visually impaired

During this first phase of plan development, the Council was responsible for providing expertise with respect to policy and proposing solutions to five key issues identified in Executive Order #83 to make walking a safe, convenient, efficient, and comfortable means of transportation by focusing their attention on the following: ensuring that paths and sidewalks are continuous and interconnected where feasible; developing consistent design standards for crosswalks, sidewalks and pathways; clarifying maintenance responsibilities for sidewalks; reviewing traffic rules and driver behavior to help support a safer pedestrian environment; and, promoting land-use and traffic patterns that encourage walking and reduce air pollution.

April 11, 2007 Meeting

April 11, 2007 Meeting Agenda



Statewide Pedestrian Action Plan

Pedestrian Awareness and Walkability Advisory Council Meeting Agenda April 11, 2007

1. **Introductions**
2. **Purpose of the Statewide Pedestrian Action Plan (Executive Order #83)**
 - a. Importance of Walking - Health, Economic and Community Benefits and Air Quality Benefits
 - b. Livable Delaware
3. **Planning Process**
 - a. Review of Planning Process Diagram
 - b. Advisory Council Role & Responsibilities
 - c. Advisory Council Notebook (Reference Materials)
 - d. Technical Committee Role & Responsibilities
4. **Delaware/DelDOT**
 - a. Legislation - Titles 17, 10, 9, 21 and 16
 - b. Policies - Sidewalk Policy Implement and Bus Stop and Passenger Facilities Policy
 - c. Regulations - DelDOT Draft Subdivision Regulations, DelDOT Design Manual 10.8 Sidewalks and DelDOT Design Guidance Memorandum Number 1-16
 - d. DelDOT Sidewalk Policies, Practices and Issues
5. **Discussion of Issues and Concerns with Respect to Executive Order #83, Item 4 a through e**
 - a. Ensure that paths and sidewalks are continuous and interconnected where feasible
 - b. Develop consistent design standards for crosswalks, sidewalks and pathways
 - c. Clarify maintenance responsibility for sidewalks
 - d. Review traffic rules and driver behavior to help support a safer pedestrian environment
 - e. Promote land-use and traffic patterns that encourage walking and reduce air pollution
6. **Scheduling of Next Meeting & Council Assignments**

Council Assignment: Review Reference Materials and Submit Relevant Information

04/05/07

April 11, 2007 Meeting Summary

Statewide Pedestrian Action Plan

Pedestrian Awareness and Walkability Advisory Council April 11, 2007

Meeting Summary

Meeting Attendees Advisory Council

Trish Roberts

Gary Emory

Dan Bockover

Chris Asay

Mike Tyler

Christy McEvilly

Nicholas DiPasquale

Don Mulrine

Milton Daves

Lloyd Schmitz

Affiliation

Office of Highway Safety and
Homeland Security

Homeowners Association in Kent
County

Council of Civic Organization of
Brandywine Hundred

Physical Activity Advocate - Kent
County

Sussex Cyclists

WILMAPCO

Dover/Kent MPO

Delaware League of Local
Governments

Private Citizen

DelDOT

Project Team

Bobbi Geier

Anthony Aglio

Steven Bayer

April Showers

Bob Martin

Natalie Latham

DelDOT

DelDOT

DelDOT

JMT

JMT

JMT

Introduction

Delaware Department of Transportation (DelDOT) staff introduced to the Council the project team, which is preparing the Statewide Pedestrian Action Plan. Members of the Council introduced themselves and provided a brief description of their issues of interests with respect to the organizations or agencies they represent.

Purpose of the Statewide Pedestrian Action Plan

The project team explained the purpose of this Plan, which is based on the Executive Order Number Eighty-Three: Creating an Advisory Council on Walkability and Pedestrian Awareness, in which the Council is charged with assisting DelDOT with the development, adoption, and implementation of a

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Statewide Pedestrian Action Plan

Statewide Pedestrian Action Plan. The Plan is to address and propose solutions to the issues as stated in the Executive Order. This document is also part of the ongoing Livable Delaware initiative by the Governor.

Planning Process

The project team reviewed with the Council the project notebook which includes a planning process diagram, a description of the Advisory Council's role and responsibilities, as well as the Technical Committee's, which provides technical guidance throughout the preparation of this Plan. It was noted that interaction between the Advisory Council and the Technical Committee should be ongoing and that the use of the electronic mail will be useful in efficiently disseminating information. The reference material from the University of Delaware Sidewalk Forum in March, 2007, will be useful in assisting the work of the Council.

Delaware/DelDOT Legislation, Policies, and Regulations

The project team presented a brief summary of the existing legislation, policies, and regulations that help define and govern the current practices and identify the issues. The pertinent pedestrian related documents are included in the notebook for the Council members to review.

Discussion of Issues and Concerns in Executive Order 83, Items 4 a-e.

The primary elements of the Advisory Council's mission are described in the Executive Order 83, items 4 a-e. Council members raised the following issues and concerns:

- a. Ensure that paths and sidewalks are continuous and interconnected where feasible
 - o Need comprehensive sidewalk inventory
 - a. Note: Council of Brandywine Hundred (CCOBH.com) has an inventory and educational booklet on their website
 - o Cost estimates of existing and new facilities
 - a. Cost for retrofit is high. Inventory with priority origins and destinations will be important.
 - o Consideration of requiring private development to provide sidewalks; challenges in balancing environmental and development requirements, such as stormwater management
 - o Consistently apply and integrate crosswalk/sidewalk design standards and requirements in the development review process
 - a. Note: Integration of sidewalks into planning and design of Main Streets is important
 - o Sidewalk connections and continuity are critical

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Statewide Pedestrian Action Plan

- Physical barriers, e.g., sidewalk ending without transitions to shoulder, missing links, or utility poles obstructing pathways, and other barriers to the creation of a continuous walkway
- Crosswalks at intersections and railroad crossing are missing pedestrian element
- Accessible Pedestrian Signal (APS) at crosswalks by way of marked crosswalk and continuous sidewalk
- Access to transit, e.g. bus stops, sidewalks, ramps and crosswalks
- Maintenance of facilities by responsible agency and funding sources
- Establishing a mechanism to prioritize sidewalk needs based on pedestrian needs, available resources and information from a comprehensive inventory and condition assessment
- Identification of Levels of Service for pedestrians and bicycles are needed
- Need a policy so that residential neighborhoods in proximity to shopping provide pedestrian access with connections/linkages made with more than sidewalks
- Need a Comprehensive Plan for Bicycle facilities

Specific locations referenced during discussion of this item:

- Route 13 in Dover is a prime location for crosswalks.
- Route 13 at some locations have no slope at the end of sidewalks, they end abruptly without appropriate transitions.
- Sidewalks are not continuous along Faulk Road.
- Route 1 in Lewes and Rehoboth – controlled intersections need pedestrian crosswalks governed by timers, chirps and countdown timers.

b. Develop consistent design standards for crosswalks, sidewalks and pathways

- Consideration must be given to special needs groups such as senior citizens, children, and the disabled
- Consider and review design standards from other cities/states/countries with pedestrian-friendly facility
- Adequate width of crosswalks must be provided
- Connections between communities and adjacent activity centers are needed
- Use technology and education to enhance pedestrian safety
 - a. Note: In ground strobe systems should be considered.
- Pedestrian refuge islands should be provided to increase pedestrian safety
- Flexibility as needed in design standards to accommodate both pedestrian and highway facilities

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Statewide Pedestrian Action Plan

- a. Note: Flexibility is needed with respect to location, material, width and marking of sidewalks and crosswalks
 - Require facility design to meet or exceed the standards
 - To integrate adequate signage in facility design standards providing options
 - Mid-block crosswalks should be discouraged and used only when diversion to other crosswalks is unlikely (see Kent County standards)
 - Adequate time must be given to pedestrians to cross or get to medians/refuge islands
 - Provide training to DelDOT staff so that all modes are accommodated and lessons learned can be shared
 - Crosswalk signage needs to be included in design manual
- c. Clarify maintenance responsibilities for sidewalks/shoulders
 - Snow removal
 - a. Note: Snow ploughs move snow from roadways onto sidewalks, blocking pedestrian access
 - Mailboxes within sidewalks
 - Regular sidewalk inspections, enforcement, and review processes
 - Inconsistent municipal codes regarding maintenance responsibilities, in particular unincorporated areas (unincorporated areas under DelDOT jurisdiction)
 - Debris clearance
 - Lack of regular maintenance behind the curb
 - Need to coordinate environmental activities into sidewalk planning efforts, e.g., stormwater facilities, sidewalk maintenance, efforts to minimize impervious surfaces
 - a. Note: coordinate with Governor’s Task Force on Stormwater Management.
 - Need to review the practices of other municipalities
 - a. Note: Dover provides no maintenance for areas not part of the street, the sidewalk is the responsibility of property owner
 - b. DelDOT does not maintain debris on sidewalks
 - Need to clearly identify who is responsible for identification of sidewalks in disrepair, reporting and issuance of citations to owners
 - Need to consider models for maintenance across the Country
- d. Review traffic rules and driver behavior to help support a safer pedestrian environment
 - Stronger and clearer language in traffic rules as they pertain to pedestrians and cyclists

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Statewide Pedestrian Action Plan

- Public service announcements and education of the rules of vehicular and pedestrian traffic, provide a clear understanding of each user's responsibility and driver behavior - reinforces existing codes
 - a. Note: The Office of Highway Safety responsible for behavior of highway safety with pedestrian safety as an emphasis under this plan. Their approach is education before legislate.
- "Right on Red" - free flow traffic endangering pedestrians
- "Silent Policeman" - traffic signal devices should be used more
- Performance measures, enforcement initiatives, public education, etc., part of the planning effort within the Office of Highway Safety
- Enforcement of existing rules and codes
- General confusion of the various codes and rules among state and local jurisdictions
- Education being key, statewide pedestrian education campaign
- Data analysis (identify problems) and pedestrian issues in order to design campaign that can better target the problem areas for pedestrians and drivers
- Developing model ordinance for local jurisdictions
- Signage helps to reinforce regulations and control driver behavior

Location specific examples:

- Lewes - Requires drivers to stop in both directions at crosswalks. The law was adopted by the City to replace yield to pedestrians in crosswalks.

- e. Promote land use and traffic patterns that encourage walking, and reduce air pollution
 - Encourage mixed-use development to create a pedestrian-friendly environment, take a holistic approach to designing connections/linkages
 - Note: Sometimes businesses have objections to pedestrian connections and therefore the connections are not required and/or not provided
 - Coordinate redevelopment of older and new developments
 - Provide interconnectivity among communities and activity centers
 - Review subdivision design manuals - include site design requirements to include interconnectivity and multi-modes of transportation
 - School locations should be integrated into community versus being in isolated locations to make safe route to school possible
 - Encourage walking and cycling to school
 - Promote a healthy lifestyle
 - Establish greenway connections
 - Encourage conducive pedestrian streetscape designs

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Statewide Pedestrian Action Plan

- Encourage Transit Oriented Development (TOD) with pedestrian and bicycle emphasis
- Use shopping center for bus stops/shelters
- Utilize landscaping to make areas where people walk attractive and comfortable
- Explore creative funding sources, e.g. a percentage of revenue from casino profits for pedestrian/bicycle improvements
- Comprehensive Plans for communities must identify interconnectivity opportunities and encourage them through land use and transportation policies

Scheduling of Next Meeting and Council Assignments

Next meeting is scheduled on Wednesday, May 16, 2007 at 1:00 PM at DelDOT headquarters.

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April 11, 2007 Meeting Sign-In Sheets

Statewide Pedestrian Action Plan Advisory Council Meeting April 11, 2007

Attended/Verified ✓	EO 83 Requirements	Name	Affiliation	Address	Jurisdiction	Contact Info
	DeDOT-Division of Planning (Committee Acting Chair)	Anthony Aglio	DeIDOT	P.O. Box 778 800 S. Bay Rd. Dover, DE 19803 e-mail:	Statewide	302-760-2509
	DNREC-Division of Parks and Recreation	Matt Chesser	DNREC	40 Laurel Drive, Dover, DE 19901 e-mail:	Statewide	739-9235
✓	Office of Highway Safety and Homeland Security	Trish Roberts	OHS&HS	720 Green Winged Trail, Wyoming, DE 19934. e-mail:	Statewide	744-2740
	Delaware Greenways	Brad Killian	Delaware Greenways	1317 Cedar Street, Wilmington, DE 19805 e-mail:	Statewide	655-7275
	American Heart Association of Delaware	Tonda Parks	American Heart Association	740 Bicentennial Blvd, Dover, DE 19904 e-mail:	Statewide	270-8663
	American Lung Association of Delaware	John Rendle	American Lung Association	700 D River Rd. Wilmington DE 19809 e-mail:	Statewide	651-5101 jrendle@hemours.org
	Civic or Homeowners Association-New Castle County	Steve Borfeske	New Castle County Civic	29 Stashpine Circle Hokessin, DE 19707 e-mail:	New Castle Co.	239-1665
	Civic or Homeowners Association-Kent County	Carl Solberg	Home Owners Kent	Kent County Levy Court, 555 Bay Road, Dover, DE 19901 L/M 1/9/07 e-mail:	Kent Co.	744-2490
✓	Civic or Homeowners Association-Sussex County	Gary Emory	Home Owners Sussex	8473 Hollybrook Acres, Lincoln, DE 19960 e-mail: garyemory@hotmail.com	Sussex Co.	424-1156
✓	Physical Activity Advocate-New Castle County	Dan Bockover	CCOBH	2316 Graywood Road, Wilmington, DE 19810 e-mail:	New Castle Co.	475-7969
✓	Physical Activity Advocate-Kent County	Chris Asay	Physical Advocate-Kent	516 Carroll's Street, Dover, DE 19904 e-mail:	Kent Co.	674-3422
✓	Physical Activity Advocate-Sussex County	Mike Tyler	Sussex Cyclists	10 Drake Knoll, Lewes, DE 19958 e-mail: dh3000@sussexbest.net	Sussex Co.	228-5225
✓	WILMAPCO	James Christy McEvilly	WILMAPCO	909 Overbrook Road, Wilmington, DE 19807 e-mail: James.williams@wilmington.net	New Castle Co.	656-8858

Statewide Pedestrian Action Plan Advisory Council Meeting April 11, 2007

✓	Dover/Kent MPO	Nicholas DiPasquale	Dover/Kent MPO	45 Shady Lane, Dover, DE 19901 e-mail:	Kent Co.	423.4140 (c) nicholasdi@comcast.net ✓
✓	Delaware League of Local Governments	Don Mulrine	DLLG	98 Lynam Street Newport, DE 19804 e-mail:	Statewide	don.mulrine@townofcamden.com
	Architectural Accessibility Board	Wayne Carter	Colonial Paralyzed Veterans	17 Noel Drive, Middletown, DE 19709 e-mail:	Statewide	834-7092
✓	Physically Disabled Citizen	Milton Daves	Private Citizen	430 King Highway Apt. 06 Dover DE 19901 e-mail: m.henschel@Yahoo.com	Citizen	302-674-5873
✓	Visually Impaired Citizen	Lloyd Schmitz	DelDOT	32601 Minnesota Street, Lewes, DE 19958 e-mail: LKSchmitz@aol.com	Citizen	302-645-0880

May 16, 2007 Meeting

May 16, 2007 Meeting Agenda

Statewide Pedestrian Action Plan

Pedestrian Awareness and Walkability Advisory Council Meeting Agenda Wednesday, May 16, 2007 1:00 PM, DeIDOT

- 1. Introductions & Review of Meeting Summary** (5-10 Minutes)
- 2. Information Supplied by Council Members** (10 - 15 Minutes)
 - a. Brief discussion of information supplied by Council Members to share with the group, DeIDOT staff and Consultant Team
- 3. Review of Federal Regulations** (10 minutes)
 - a. JMT will provide an overview and handouts
- 4. Group Discussion - Vision Statement, Goals and Objectives** (30 Minutes)
 - a. Individual responses collected for further review and modification of vision statement, goals and objectives
- 5. Prioritization of Goals and Objectives** (20 minutes for dot activity, 20 minutes discussion)
 - a. Group activity - Members will be asked to prioritize the Goals and Objectives developed that include the issues and concerns identified at the first meeting. Colored dots assigned a priority value will be used to identify items that should receive higher attention through the planning and analysis process and implementation.
 - b. Group discussion - Initiation reactions to group prioritization.
- 6. Scheduling of Next Meeting & Council Assignments**

Council Assignment: Review Reference Materials, Meeting Materials and Submit Relevant Information

5/16/2007

May 16, 2007 Meeting Summary

Statewide Pedestrian Action Plan

**Pedestrian Awareness and Walkability Advisory Council
May 16, 2007**

Meeting Summary

**Meeting Attendees
Advisory Council**

Matt Chesser

Trish Roberts

Brad Killian

Carl Solberg

Dan Bockover

Chris Asay

Mike Tyler

Chris McEvelly

Nicholas DiPasquale

Don Mulrine

Milton Daves

Lloyd Schmitz

Dane Doney

Affiliation

DNREC-Division of Parks and
Recreation

Office of Highway Safety and
Homeland Security

Delaware Greenways

Homeowners Association in Kent
County

Council of Civic Organization of
Brandywine Hundred

Physical Activity Advocate - Kent
County

Sussex Cyclists

WILMAPCO - PAC

Dover/Kent MPO

Delaware League of Local
Governments

Private Citizen

EDTAC - Visually Impaired

DART

Project Team

Bobbi Geier

Anthony Aglio

April Showers

Bob Martin

Natalie Latham

DelDOT

DelDOT

JMT

JMT

JMT

Introduction and review of Meeting Summary

After a brief introduction of the Council members and the project team, the Meeting Summary from the last meeting was reviewed and several changes were suggested. The project team will revise the Meeting Summary to reflect the changes recommended by the Council Members.

Information Supplied by Council Members

6/12/07

1

Statewide Pedestrian Action Plan

Chris McEvelly shared with the Council information about the WILMAPCO's recently adopted Regional Transportation Plan, 2030 Update. One of the goals of the plan addresses accessibility and mobility in transportation alternatives and identifies several action items that can be helpful in the development of this statewide Pedestrian Action Plan. It was also suggested to review the Complete Street concept and incorporate such policy into this Action Plan if appropriate.

Review of Federal Regulations

The project team presented a brief summary of the current federal regulations regarding the Federal Highway Administration's oversight role in accessibility, and the bicycle and pedestrian legislation from the passage of SAFETEA-LU including the portions that are codified and not codified in Title 23 United States Codes.

The topic of pedestrian access components was discussed along with a slide presentation of illustrations to help explain the terminology in facility design. Several questions were raised regarding audible signals, signal timing, location of utility poles, vehicle stop lines at intersections, and the general design standards for crosswalk locations. Council members also asked about pedestrian education programs. Trish Roberts of the Office of Highway Safety and Homeland Security noted that the State does have a very comprehensive pedestrian education program, but the lack of familiarity of pedestrian laws from the drivers is a major concern.

Added item: Presentation of the DelDOT's draft Standards and Regulations for Subdivision Streets and State Highway Access.

Marc Cote of DelDOT gave a brief presentation on the draft document. Highlights of the presentation included the background history of this document and the need for the update to reflect current state-of-the-art practices and latest federal and state regulations; a description of the process for the update which is consisted of technical and stakeholders committees, as well as a public involvement process for comments with a public hearing being scheduled for July 2007. The anticipated adoption of this update will be in August, 2007. The full document is available online at <http://regulations.delaware.gov/services/register.shtml>. Comments can be addressed to Mr. Cote, at marc.cote@state.de.us.

Group Discussion – Vision Statement, Goals, and Objectives

Council members discussed the draft Vision Statement for the statewide Pedestrian Action Plan and made suggestions for revisions. The general consensus is to emphasize that all users are included in a safe and convenient network for pedestrian travel, with underlying references to the current Bicycle Master Plan

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Statewide Pedestrian Action Plan

Council members also discussed the Goals and Objectives for the Plan. The Council generally concurred with the goals and objectives as stated. They also offered several suggestions. Similar to the Vision Statement, a safe and convenient network for pedestrian travel needs to be emphasized, as well as the consideration of transit connection. The Council also suggested adding a Transition Plan as an objective under Goal 1, and a Complete Street Policy as another objective under Goal 2.

The following table summarizes the suggestions made by the Council:

Before	After
<p>Vision Statement: To improve the quality of life throughout Delaware by promoting safe pedestrian travel that enhances personal mobility and fitness.</p>	<p>Vision Statement: To improve the quality of life throughout Delaware by promoting safe and convenient network for pedestrian travel for all users that enhances personal mobility and fitness.</p>
<p>Objectives: 1.1 Ensure that ADA compliant paths and sidewalks are continuous and interconnected to the maximum extent feasible using sound engineering judgment.</p>	<p>Objectives: 1.1 Ensure that ADA compliant paths and sidewalks are continuous and interconnected. to the maximum extent feasible using sound engineering judgment. 1.4 Develop and implement an ADA Transition Plan</p>
<p>Goal 2: Increase the availability of safe pedestrian access through the implementation of policies, plans, regulations, and standards that ensure an integrated transportation system.</p>	<p>Goal 2: Increase the availability of safe and convenient pedestrian access through the implementation of by implementing policies, plans, regulations, and standards that ensure an integrated transportation system.</p>
<p>Goal 3: Develop a plan of action to create pedestrian access options and strategies that connect communities and other destinations.</p>	<p>Goal 3: Develop a plan of action to create pedestrian access options and strategies that connect communities transit, and other destinations such as schools and recreation areas.</p>
<p>Objectives: 3.1 Promote land use and traffic patterns that encourage walking and environmental stewardship using the 4-E's of safe transportation planning - engineering, education, enforcement, and encouragement.</p>	<p>Objectives: 3.1 Promote land use, and traffic patterns, and roadway design that encourage walking and environmental stewardship using the 4-E's of safe transportation planning - engineering, education,</p>

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Statewide Pedestrian Action Plan

Before

3.2 Review traffic rules and driver behavior to help support a safe pedestrian environment, and to strengthen and enforce traffic laws that protect pedestrians.

After

enforcement, and encouragement.
3.2 Review traffic rules and driver behavior to help support a safe **and convenient** pedestrian-friendly environment, and to strengthen and enforce traffic laws.

Prioritization of Goals and Objectives

As a group activity, each Council member was asked to prioritize the Goals and Objectives by assigning a priority value of High, Medium High, Medium, and Low to each item with colored dots. This exercise was aimed at gauging the preference by each member as to what they viewed as a priority. The project team will evaluate and summarize the results of this exercise at the next Council meeting.

Scheduling of Next Meeting and Council Assignments

Next meeting is scheduled on Tuesday, June 12, 2007 at 1:00 PM at DelDOT headquarters.

6/12/07

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May 16, 2007 Prioritization of Goals & Objectives Activity Results

Statewide Pedestrian Action Plan

Council and TAC Prioritization Activity Results

Prioritization Activity Explanation

In addition to review and revision to the draft Vision Statement for the plan, the Advisory Council and TAC conducted a review, evaluation and prioritization of draft Plan Goals and Objectives. Upon completion of review and revision of language, the Advisory Council and the Technical Advisory Committee conducted a prioritization activity by utilizing a “dot exercise.” Please note, that the language used for the exercise reflects the original draft language used for each group with the assumption that the prioritization would be based upon revised language for each group respectively. Attached is the revised language for each group based upon input received at the May 16, 2007 Advisory Council Meeting and the May 31, 2007 TAC Meeting.

Each member of the Advisory Council and the Technical Advisory Committee was given a set of color dots - red, green, yellow, and blue, signifying high, medium-high, medium, and low, respectively. Each color had a number of points assigned to it (red = 4 points, green = 3 points, yellow = 2 points and blue = 1 points). Members were then asked to conduct the evaluation by placing one or more color dots in any combination next to each of the Goals first to rank importance or priority and then rank each of the and Objectives associated with each Goal based on their understanding of the need/importance/priority, preference, knowledge, and expertise. The total value of each Goal and Objective was then computed according to the number of color dots they received and the points associated with the color. The higher the total values of assigned dots the higher the ranking of need, priority or importance.

Summary of Results

The table on the following pages summarizes the results of this exercise. The outcome of the exercise is essential to establishing a project development process consisting of conducting additional research, formulating the Action Plan and identifying implementation strategies. This initial prioritization of the Goals and Objectives will provide the framework for these next steps. The next step of preparing Delaware’s Statewide Pedestrian Action Plan will include research, data collection and observations to support *refinement of plan goals and objectives*, conducting analysis and preparation of the plan.

Statewide Pedestrian Action Plan

		Walkability & Pedestrian Awareness Council		Technical Advisory Committee		TOTAL	
Issue		Total Dots	Total Value	Total Dots	Total Value	Total Dots	Total Value
GOAL Number	GOAL & OBJECTIVE	Total Dots	Total Value	Total Dots	Total Value	Total Dots	Total Value
1	Promote ADA compliant pedestrian mobility and encourage fitness of people through a balanced system of interconnected transportation options.	8	20	9	27	17	47
1.1	Ensure that ADA compliant paths and sidewalks are continuous and interconnected to the maximum extent feasible using sound engineering judgment.	10	26	9	29	19	55
1.2	Develop an ADA compliant transition plan for existing and new facilities.	6	11	11	41	17	52
1.3	Eliminate or minimize physical barriers to a walkable environment by building and maintaining a functional and aesthetically pleasing pedestrian infrastructure.	6	16	14	35	19	51
		29	73	43	132	72	205
2	Promote ADA compliant pedestrian mobility and encourage fitness of people through a balanced system of interconnected transportation options.	9	27	12	37	21	64
2.1	Develop consistent pedestrian facility design standards for ADA compliance with consideration for special needs groups such as senior citizens, disabled and children, among State, county, and municipal agencies.	6	15	10	32	16	47
2.2	Develop and maintain an inventory of existing pedestrian facilities, and identify all non-ADA compliant elements of each facility.	6	13	11	21	17	34
2.3	Adopt transportation principles, street design guidelines and measurement tools that encourage walking and cycling.	7	17	10	23	17	40
2.4	Improve the relationship between the pedestrian and built environment by enforcing existing guidelines, and encourage development that provides interconnected and walkable destinations.	4	12	10	20	14	32
		32	64	53	133	85	217

Council/TAC Prioritization Activity Results

2

Statewide Pedestrian Action Plan

GOAL Number	GOAL & OBJECTIVE	Walkability & Pedestrian Awareness Council		Technical Advisory Committee		TOTAL	
		Total Dots	Total Value	Total Dots	Total Value	Total Dots	Total Value
3	Develop a plan of action to create pedestrian access options and strategies that connect communities and other destinations.	9	26	8	24	17	50
3.1	Promote land use and traffic patterns that encourage walking and environmental stewardship using the 4-E's of safe transportation planning - engineering, education, enforcement, and encouragement.	8	28	9	20	17	48
3.2	Review traffic rules and driver behavior to help support a safer pedestrian environment, and to strengthen and enforce traffic laws that protect pedestrians.	3	9	10	17	13	26
3.3	Minimize procedural barriers to a walkable environment by facilitating collaboration among the State, counties and local municipalities.	5	12	8	26	13	38
3.4	Implement an objective and equitable systems for identifying and prioritizing needs and affordable projects.	4	11	10	21	14	32
3.5	Increase the availability of design guidance for pedestrian facilities at the State, county, and local levels through the approved planning process and subdivision review regulations.	3	8	10	14	13	22
		32	94	55	122**	87	216
4	Establish a framework for capital improvements, maintenance, operation, and the financial responsibilities by jurisdictions for new and existing pedestrian facilities.	9	23	11	33	20	56
4.1	Clarify maintenance responsibilities of the State, counties, municipalities and private parties for pedestrian facilities including sidewalks, paths, and shoulders, where appropriate.	9	21	12	33	21	54
4.2	Develop model maintenance programs for adoption by the State, counties, and local municipalities to preserve these facilities.	7	14	9	16	16	30
4.3	Seek existing funding sources from the federal, state, and local levels, and to establish a creative and sustainable funding mechanism for pedestrian facilities, safety education.	9	24	8	23	17	47
4.4	Establish financial incentives to encourage counties and municipalities to create and implement pedestrian facility policies, procedures, standards, and regulations.	8	28	12	20	20	46
		42	108	52	125	94	233

*Total does not include 2.5, "Develop a Complete Street Policy"
 **Total does not include 3.6 "Promote safe travel for pedestrians by continuing cooperative statewide public education efforts among state agencies"

May 16, 2007 Revised Goals & Objectives

Vision, Goals, and Objectives

Statewide Pedestrian Action Plan

The Council reviewed the draft Vision Statement and Plan Goals and Objectives and suggested the following changes shown in red. The objectives shown in bold reflect the five key issues identified in the Governor’s Executive Order No. 83.

Vision Statement

To improve the quality of life throughout Delaware by promoting safe and convenient network for pedestrian travel for all users that enhances personal mobility and fitness.

Plan Goals and Objectives

Goal 1: Promote ADA compliant pedestrian mobility and encourage fitness of people through a balanced system of interconnected transportation options. Reference Bicycle Plan and bicycle connections.

Objectives:

- 1.1 **Ensure that ADA compliant paths and sidewalks are continuous and interconnected. ~~to the maximum extent feasible using sound engineering judgment.~~**
- 1.2 Develop an ADA compliant ~~transit action~~ Transition Plan. ~~for existing and new facilities.~~
- 1.3 Eliminate or minimize physical barriers to a walkable environment by building and maintaining a functional and aesthetically pleasing pedestrian infrastructure.

Goal 2: Increase the availability of safe and convenient pedestrian access by ~~through the~~ implementing ~~of~~ policies, plans, regulations, and standards that ensure an integrated transportation system.

Objectives:

- 2.1 **Develop consistent pedestrian facility design standards for ADA compliance with consideration for special needs groups such as senior citizens, disabled and children, among State, county, and municipal agencies.**
- 2.2 Develop and maintain an inventory of existing pedestrian facilities, and identify all non-ADA compliant elements of each facility.
- 2.3 Adopt transportation principles, street design guidelines and measurement tools that encourage walking and cycling.
- 2.4 Improve the relationship between the pedestrian and built environment by enforcing existing guidelines, and encourage development that provides interconnected and walkable destinations.

Advisory Council 5/16/07

1

Vision, Goals, and Objectives
Statewide Pedestrian Action Plan

2.5 Develop a Complete Streets Policy.

Goal 3: Develop a plan of action to create pedestrian access options and strategies that connect communities, transit, schools, recreation, greenways and other destinations.

Objectives:

- 3.1 Promote land use, and traffic patterns and roadway design that encourage walking, transit connections and environmental stewardship using the 4-E's of safe transportation planning – engineering, education, enforcement, and encouragement.**
- 3.2 Review traffic rules and driver behavior to help support a safer and convenient pedestrian friendly environment, and to strengthen and enforce traffic laws that protect pedestrians.**
- 3.3 Minimize procedural barriers to a walkable environment by facilitating collaboration among the State, counties and local municipalities.
- 3.4 Implement an objective and equitable systems for identifying and prioritizing needs and affordable projects.
- 3.5 Increase the availability of design guidance for pedestrian facilities at the State, county, and local levels through the approved planning process and subdivision review regulations.

Goal 4: Establish a framework for capital improvements, maintenance, operation, and the financial responsibilities by jurisdictions for new and existing pedestrian facilities.

Objectives:

- 4.1 Clarify maintenance responsibilities of the State, counties, municipalities and private parties for pedestrian facilities including sidewalks, paths, and shoulders, where appropriate.**
- 4.2 Develop model maintenance programs for adoption by the State, counties, and local municipalities to preserve these facilities.
- 4.3 Seek existing funding sources from the federal, state, and local levels, and to establish a creative and sustainable funding mechanism for pedestrian facilities, safety education.
- 4.4 Establish financial incentives to encourage counties and municipalities to create and implement pedestrian facility policies, procedures, standards, and regulations.

May 16, 2007 Sign-In Sheets

Statewide Pedestrian Action Plan Advisory Council Meeting May 16, 2007

Attended Verified ✓	EO 83 Requirements	Name	Affiliation	Address	Jurisdiction	Contact Info
✓	DelDOT-Division of Planning (Committee Chair)	Anthony Aglio	DelDOT	P.O. Box 778 800 S. Bay Rd. Dover, DE 19903 e-mail: <i>agallo@delDOT.gov</i>	Statewide	302-760-2509
✓	DNREC-Division of Parks and Recreation	Matt Chesser	DNREC	<i>876-333-1111</i> 401 East 10th Street, Dover, DE 19901 e-mail: <i>mchesser@dnrec.state.de.us</i>	Statewide	739-9235
	Office of Highway Safety and Homeland Security ✓	Trish Roberts	OHS&HS	720 Green Winged Trail, Wyoming, DE 19934. e-mail:	Statewide	744-2740
✓	Delaware Greenways	Brad Killian	Delaware Greenways	1317 Cedar Street, Wilmington, DE 19805 e-mail: <i>killian@delawaregreenways.org</i>	Statewide	655-7275
	American Heart Association of Delaware	Tonda Parks	American Heart Association	740 Bicentennial Blvd, Dover, DE 19904 e-mail:	Statewide	270-8663
	American Lung Association of Delaware	John Rendle	American Lung Association	700 D River Rd. Wilmington DE 19809 e-mail:	Statewide	651-5101 <i>jrendle@hemours.org</i>
	Civic or Homeowners Association-New Castle County	Steve Borleske	New Castle County Civic	29 Slashpine Circle Hokesen, DE 19707 e-mail:	New Castle Co.	239-1665
✓	Civic or Homeowners Association-Kent County	Carl Solberg	Home Owners Kent	Kent County Levy Court, 555 Bay Road, Dover, DE 19901 LM 1/9/07 e-mail:	Kent Co.	744-2490
	Civic or Homeowners Association-Sussex County	Gary Emory	Home Owners Sussex	8473 Hollybrook Acres, Lincoln, DE 19960 e-mail: <i>garyemory@hotmail.com</i>	Sussex Co.	424-1156
✓	Physical Activity Advocate-New Castle County	Dan Bockover	CCOBH	2316 Graywood Road, Wilmington, DE 19810 e-mail:	New Castle Co.	475-7969
✓	Physical Activity Advocate-Kent County	Chris Asay	Physical Advocate-Kent	516 Carroll's Street, Dover, DE 19904 e-mail: <i>ChrisAsay@aol.com</i>	Kent Co.	674-3422
✓	Physical Activity Advocate-Sussex County	Mike Tyler	Sussex Cyclists	10 Drake Knoll, Lewes, DE 19958 e-mail: <i>an3000@surfbest.net</i>	Sussex Co.	228-5225
✓	WILMAPCO - PAC	Christy McEvilly <i>Christy McEvilly</i>	WILMAPCO PAC	909 Overbrook Road, Wilmington, DE 19807 e-mail: <i>cmcevilly@comcast.net</i>	New Castle Co.	656-8858

Statewide Pedestrian Action Plan Advisory Council Meeting May 16, 2007

✓	Dover/Kent MPO	Nicholas DiPasquale	Dover/Kent MPO	45 Shady Lane, Dover, DE 19901 e-mail: nicholasdi@comcast.net	Kent Co.	423-4140 (c)
✓	Delaware League of Local Governments	Don Mulrine	DLLG	98 Lynam Street, Newport, DE 19804 e-mail:	Statewide	don.mulrine@townofcamden.com
	Architectural Accessibility Board	Wayne Carter	Colonial Paralyzed Veterans	17 Noel Drive, Middletown, DE 19709 e-mail:	Statewide	834-7092
✗	Physically Disabled Citizen	Milton Daves	Private Citizen	430 King Highway Apt. 06 Dover DE 19901 e-mail: miltondaves@yahoo.com	Citizen	302-674-5873
✓	Visually Impaired Citizen	Lloyd Schmitz	FDTRC DelDOT Vis. Imp.	32601 Minnesota Street, Lewes, DE 19958 e-mail: LKschmitz@aol.com	Citizen	302-645-0880

Del. Transit DweDorling

June 12, 2007 Meeting

June 12, 2007 Meeting Agenda

Statewide Pedestrian Action Plan

Pedestrian Awareness and Walkability Advisory Council Meeting Agenda June 12, 2007

1. **Introductions & Review of Meeting Summary** (5-10 Minutes)
2. **Review and Discussion of Revised Vision Statement, Goals and Objectives** (10 minutes)

Handouts provided prior to the meeting include: Council revisions and TAC revisions.

3. **Review and Discussion of Prioritization of Goals and Objectives** (10 minutes)

JMT will review results of Council and TAC input. Handout provided prior to the meeting.

4. **Presentation and Discussion - Overview of Draft Policy Analysis Document** (30 Minutes)

JMT will provide an overview of the Draft Policy Analysis Document. This document layouts the groundwork for development of the Statewide Pedestrian Action Plan.

5. **Overview of Next Steps** (10 Minutes)

- a. Finalization and submission to the Governor (*Policy Analysis Document only*)

- Advisory Council Comments Due by June 19, 2007
- Final Draft Submitted to DelDOT June 29, 2007
- Final Comments from DelDOT staff Due by July 13, 2007
- Final Document Submission to DelDOT July 25, 2007
- July 30, 2007 Submission to Governor

- b. Statewide Pedestrian Action Plan (*planning activities and plan development*)

6. **Scheduling of Next Meeting & Council Assignments**

Next Meetings will be determined upon completion of data collection/observations. Meetings are anticipated to resume in the Fall.

6/12/07

Statewide Pedestrian Action Plan

Council Assignment: Review draft plan and provide comments no later than June 19, 2007.

6/12/07



June 12, 2007 Meeting Summary

Statewide Pedestrian Action Plan

**Pedestrian Awareness and Walkability Advisory Council
June 12, 2007**

Meeting Summary

Meeting Attendees

Affiliation

Advisory Council

Trish Roberts	Office of Highway Safety and Homeland Security
Matt Chesser	DNREC
Tonda Parks	American Heart Association
Gary Emory	Homeowners Association in Sussex County
Dan Bockover	CCOBH
Chris Asay	Physical Advocate – Kent County
Mike Tyler	Sussex Cyclists
Christy McEvelly	WILMAPCO
Don Mulrine	DLLG
Milton Daves	Private Citizen

Visitors

Nickie Bell	Independent Living Community
Loretta Pisopia	Independent Living Community
Marina Kaplan	Nemours Health and Prevention Services

Project Team

Bobbi Geier	DelDOT
Anthony Aglio	DelDOT
Steven Bayer	DelDOT
April Showers	JMT
Bob Martin	JMT
Natalie Latham	JMT

Introductions

All attendees participating in the meeting provided a brief introduction. There were several visitors present at the meeting.

Review and Discussion of Revised Vision Statement, Goals and Objectives

The Council had a chance to provide final comments on the vision statement, goals and objectives. Members of the Council received a copy of the previous month's revisions by the Council and revisions by the Technical Advisory Committee (TAC) for comparison. Minor comments were received.

6/19/07

Statewide Pedestrian Action Plan

Review and Discussion of Prioritization of Goals and Objectives

JMT provided a review of the results of the Council and TAC input. The Council had received a handout prior to the meeting for review. Minor comments were received.

Presentation and Discussion – Overview of Draft Policy Analysis Document

JMT provided an overview of the Draft Policy Analysis Document. The document provides a framework for development of the Statewide Pedestrian Action Plan. The following comments were received:

- It is important that there is coordination with County Comprehensive Plans and current planning efforts.
- Add more facts about mobility challenged populations and information about facilities (i.e. motorized vehicles for disabled, scooters not permitted to ride in highway, turning radius differences between wheel chaps and scooters and shelter needs for riders to wait for the bus).
- Add a transit section with respect to pedestrian travel choice.
- Add crosswalk elements.
- What challenges do bulb-outs pose for the motorists and any associated safety issues for pedestrians.
- Pedestrian facility elements will be identified in the next phase.
- Add more statistics about bicycles.
- Add greenways, trails and bicycles.
- In Chapter III under the subject of connectivity and access, identify the other issues that prevent walking in this section.
- Public input should be documented in an Appendix.
- Identify the types of barriers to pedestrian safety.
- In Chapter IV, determine the users for multi-use paths.
- In Chapter V, the Council felt comfortable with recommendations.
- The Bicycle Coordinator and Pedestrian Coordinator must have the technical expertise and authority to ensure compliance with ADA requirements and ensure implementation is as intended.
- Flexibility in design – strive for good design that is ADA compliant.
- Goal 3 – Educate upfront during the planning process of various facilities.
- Education should focus on connectivity, health, accessibility, benefits of greenways, trails, bicycling and other pedestrian activity.
- Do not create so many rules and standards that prevent the facilities being designed and constructed due to cost.
- Build durable facilities.
- Balance requirements with flexibility.
- Retrofit is difficult and costly.
- Identify reasons for fatalities due to barriers (identify what those barriers are).

6/19/07

Statewide Pedestrian Action Plan

Overview of Next Steps

JMT provided an overview of next steps as follows:

- a. Finalization and submission to the Governor (*Policy Analysis Document only*)
 - Advisory Council Comments Due by June 19, 2007
 - Final Draft Submitted to DelDOT June 29, 2007
 - Final Comments from DelDOT staff Due by July 13, 2007
 - Final Document Submission to DelDOT July 25, 2007
 - July 30, 2007 Submission to Governor
- b. Statewide Pedestrian Action Plan (*planning activities and plan development*) July - December 2007.

Scheduling of Next Meeting & Council Assignments

The next meeting of the Council will be determined upon completion of data collection/observations of sample sites across the state. Meetings are anticipated to resume in the fall of 2007. The Council was assigned to review the draft plan and provide written comments no later than June 19, 2007.

6/19/07

June 12, 2007 Meeting Sign-In Sheets

Statewide Pedestrian Action Plan Advisory Council Meeting June 12, 2007

Attended Verified	EO 833 Requirements	Name	Affiliation	Address	Jurisdiction	Contact info
✓	DelDOT-Division of Planning (Committee Chair)	Anthony Aglio	DelDOT	P.O. Box 778 800 S. Bay Rd. Dover, DE 19903 e-mail:	Statewide	302-760-2509
✓	DNREC-Division of Parks and Recreation	Matt Chesser	DNREC	40 Laurel Drive, Dover, DE 19901 e-mail:	Statewide	739-9235
	Office of Highway Safety and Homeland Security	Trish Roberts	OHS&HS	720 Green Winged Trail, Wyoming, DE 19934. e-mail:	Statewide	744-2740
	Delaware Greenways	Brad Killian	Delaware Greenways	1317 Cedar Street, Wilmington, DE 19805 e-mail:	Statewide	655-7275
✓	American Heart Association of Delaware	Tonda Parks	American Heart Association	740 Bicentennial Blvd, Dover, DE 19904 e-mail:	Statewide	270-8663
	American Lung Association of Delaware	John Rendle	American Lung Association	700 D River Rd. Wilmington DE 19809 e-mail:	Statewide	651-5101 jrendle@hemoirs.org
	Civic or Homeowners Association-New Castle County	Steve Borleske	New Castle County Civic	28 Siashpine Circle Hokesen, DE 19707 e-mail:	New Castle Co.	239-1665
	Civic or Homeowners Association-Kent County	Carl Solberg	Home Owners Kent	Kent County Levy Court, 555 Bay Road, Dover, DE 19901 L/M 1/9/07 e-mail:	Kent Co.	744-2490
✓	Civic or Homeowners Association-Sussex County	Gary Emory	Home Owners Sussex	8473 Hollybrook Acres, Lincoln, DE 19960 e-mail: garyemory@hotmail.com	Sussex Co.	424-1156
✓	Physical Activity Advocate-New Castle County	Dan Bockover	CCOBH	2316 Graywood Road, Wilmington, DE 19810 e-mail:	New Castle Co.	475-7969
✓	Physical Activity Advocate-Kent County	Chris Assay	Physical Advocate-Kent	516 Carroll's Street, Dover, DE 19904 e-mail:	Kent Co.	674-3422
✓	Physical Activity Advocate-Sussex County	Mike Tyler	Sussex Cyclists	10 Drake Knoll, Lewes, DE 19958 e-mail: ah3000@surbest.net	Sussex Co.	228-5225
✓	WILMAPCO	Jane Christy McEvilly	WILMAPCO	909 Overbrook Road, Wilmington, DE 19807 e-mail: cmcevilj@comcast.net	New Castle Co.	658-8858

Statewide Pedestrian Action Plan Advisory Council Meeting, June 12, 2007

✓	Dover/Kent MPO	Nicholas DiPasquale	Dover/Kent MPO	45 Shady Lane, Dover, DE 19901 e-mail: nicholasd@comcast.net	Kent Co.	423-4140 (c)
✓	Delaware League of Local Governments	Don Muirine	DLLG	98 Lynam Street, Newport, DE 19804 e-mail:	Statewide	don.muirine@lownofcam den.com
	Architectural Accessibility Board	Wayne Carter	Colonial Paralyzed Veterans	17 Noel Drive, Middletown, DE 19709 e-mail:	Statewide	834-7092
✓	Physically Disabled Citizen	Milton Daves	Private Citizen	430 King Highway Apt. 06 Dover DE 19901 e-mail: miltondaves@yahoo.com	Citizen	302-674-5873
	Visually Impaired Citizen	Lloyd Schmitz	DelDOT	32601 Minnesota Street, Lewes, DE 19858 e-mail: LKschmitz@aol.com	Citizen	302-645-0880



~~Nickie Bell~~ Visitor List Pedestrian Advisory Council Meeting
June 12, 2007

Nickie A. Bell - Ind. Living Comm. (Blind)
PH. 738-4796 email: NABDE04@Hotmail

Lozetta J. Pisapia, Ind Living Comm. 734-2217

Marina Kaplan - Sr policy Analyst, Built Environment
Nemours Health and Prevention Services
tel 302 444 9052
email: Makaplan@Nemours.org

Appendix B: Technical Advisory Committee

Technical Advisory Committee Meetings

A Technical Advisory Committee (TAC) was formed to provide technical assistance in the preparation of this Plan. The Committee will participate in all phases of plan development and implementation. The Committee is comprised of professionals with knowledge and experience in issues related to pedestrian and transportation planning from the following organizations.

- The Divisions of Planning, Policy, Traffic, Management and Operations in the Delaware Department of Transportation
- The Federal Highway Administration
- Delaware Health and Social Services
- The University of Delaware Cooperative Extension
- The Delaware Department of Education
- AstraZeneca Pharmaceutical
- The Delaware Authority for Regional Transit
- The Office of State Planning
- Home Builders Association of Delaware
- The Delaware Transportation Management Association

May 31, 2007 Meeting

May 31, 2007 Meeting Agenda

Statewide Pedestrian Action Plan

**Technical Advisory Committee for the
Pedestrian Action Plan
Meeting Agenda
May 31, 2007**

1. **Introductions** (5 Minutes)
2. **Planning Process Overview, Review of Handout Materials and Review of Pedestrian Awareness and Walkability Council Activities** (10 Minutes)
3. **Group Discussion – Vision Statement, Goals and Objectives** (20 Minutes)
 - a. Individual responses collected for further review and modification of vision statement, goals and objectives.
4. **Prioritization of Goals and Objectives** (20 Minutes Dot Activity, 15 Minute Break, 20 Minutes discussion)
 - a. Group activity – Members will be asked to prioritize the Goals and Objectives developed that include the issues and concerns identified by the Advisory Council. Colored dots assigned a priority value will be used to identify items that should receive higher attention through the planning and analysis process and implementation.
 - b. **Break** (15 Minutes)
 - c. Group discussion – Initial reaction to group prioritization with comparison to the Advisory Council prioritization.
 - d. Review and Comment of Council Edits to the Goals and Objectives.
5. **Presentation of Draft Policy Analysis Document & Discussion** (20 Minutes)
6. **Next Steps** (5 Minutes)
 - a. TAC Comments due by June 6, 2007 to DelDOT Staff
 - b. Presentation of Draft Policy Analysis Document to Advisory Council – Meeting June 12, 2007
 - c. Advisory Council Comments Due by June 19, 2007
 - d. Final Draft Submitted to DelDOT June 29, 2007
 - e. Final Comments from DelDOT staff Due by July 13, 2007
 - f. Final Document Submission to DelDOT July 25, 2007
 - g. July 30, 2007 Submission to Governor

TAC Assignment: Review and comment on reference materials, meeting materials and draft Policy Analysis Document by June 6, 2007. All comments should be directed to Bobbie Geier.

5/31/07

May 31, 2007 Meeting Summary

Statewide Pedestrian Action Plan

Delaware Statewide Pedestrian Action Plan
Technical Advisory Council
May 31, 2007

Meeting Summary

Meeting Attendees

Affiliation

Technical Advisory Committee

Linda Osiecki	DelDOT
Mark Alexander	DelDOT
Pao Yuan Lin	DelDOT
Anthony Aglio	DelDOT
Steven Bayer	DelDOT
Greg Oliver	DelDOT
John Sisson	DelDOT
Mark Luszcz	DelDOT
Kristen Melendez	DelDOT
Drew Boyce	DelDOT
Pat Kennedy	Federal Highway Administration
Cathy Smith	DART
Andrea Summers	Office of Highway Safety

Project Team

Bobbi Geier	DelDOT
April Showers	JMT
Bob Martin	JMT
Natalie Latham	JMT

Introduction

Members of the Technical Advisory Committee and the project team briefly introduced themselves followed by an overview of the purpose of the meeting.

Planning Process Overview, Review of Handout Materials and Pedestrian Awareness and Walkability Council Activities

The project team reviewed with the TAC the project notebook which includes a planning process diagram, a description of the roles and responsibilities of the Advisory Council and TAC, references to the relevant federal and state legislations and sidewalk policies, and a copy of the draft plan document. The project team also provided a brief overview of the Advisory Council activities to date.

5/31/07

1

Statewide Pedestrian Action Plan

Group Discussion – Vision Statement, Goals, and Objectives

Committee members discussed the draft Vision Statement for the Action Plan and made some suggestions for revisions. The general consensus is that safety is key. The state’s Safe Route to School program can lend ideas on the emphasis of the safety component. Also, Committee members suggested that the theme “safe and convenient” be incorporated throughout the entire plan document.

Committee members also discussed the Goals and Objectives for the Plan. The project team explained that the Advisory Council had provided ideas on the revisions for the Goals and Objectives. The Technical Advisory Committee generally concurred with the goals and objectives as stated. They also advised that they need to be more pedestrian active overall. An addition of an objective under Goal 3, “to promote safe travel for pedestrians by continuing cooperative statewide public education efforts among state agencies,” is suggested as well.

The following table summarizes the suggestions made by the Committee:

Before	After
<p>Goal 1: Promote ADA compliant pedestrian mobility and encourage fitness of people through a balanced system of interconnected transportation options.</p>	<p>Goal 1: Promote ADA compliant mobility facilities and to encourage fitness and mobility of people through a balanced system of interconnected multimodal transportation options.</p>
<p>Objectives:</p> <p>1.2 Develop an ADA compliant Transition Plan for existing and new facilities.</p> <p>1.3 Eliminate or minimize physical barriers to a walkable environment by building and maintaining a functional and aesthetically pleasing pedestrian infrastructure.</p>	<p>Objectives:</p> <p>1.2 Develop an ADA compliant Transition Plan for existing and new facilities. <i>(TAC commented that the gap with compliance is ensuring newly constructed facilities are ADA compliant. Coordination and inspection of construction is important)</i></p> <p>1.4 Eliminate or minimize existing and new physical barriers to a walkable environment by building and maintaining a functional and aesthetically pleasing pedestrian infrastructure. <i>(This is reordered to accommodate an added 1.3. Please see Objective 2.2 below)</i></p>
<p>Goal 2: Increase the availability of safe pedestrian access through the implementation of policies, plans, regulations, and standards that ensure an integrated transportation system.</p> <p>Objectives:</p> <p>2.1 Develop a consistent pedestrian facility design standards for ADA compliance with consideration for special needs groups such as senior</p>	<p>Goal 2: Increase the availability of safe pedestrian access through the implementation of policies, plans, regulations, and standards that ensure an integrated interconnected multimodal transportation system.</p> <p>Objectives:</p> <p>2.1 Develop a consistent pedestrian facility design standards and guidelines, at a minimum to meet ADA compliance for</p>



Statewide Pedestrian Action Plan

Before

- citizens, disabled and children, among State, county, and municipal agencies.
- 2.2 Develop and maintain an inventory of existing pedestrian facilities, and identify all non-ADA compliant elements of each facility.
- 2.3 Adopt transportation principles, street design guidelines and measurement tools that encourage walking and cycling.
- 2.4 Improve the relationship between the pedestrian and built environment by enforcing existing guidelines, and encourage development that provides interconnected and walkable destinations.

Goal 3: Develop a plan of action to create pedestrian access options and strategies that connect communities and other destinations.

Objectives:

- 3.2 Review traffic rules and driver behavior to help support a safer pedestrian environment, and to strengthen and enforce traffic laws that protect pedestrians.
- 3.3 Minimize procedural barriers to a walkable environment by facilitating collaboration among the State, counties, and local municipalities.
- 3.4 Implement an objective and equitable systems for identifying and prioritizing needs and affordable projects.
- 3.5 Increase the availability of design

After

- use by State, as well as county and municipal agencies, with additional consideration for special needs groups such as senior citizens, the disabled and children.**
- 2.2 **(Move to Goal 1 to become Objective 1.3)**
- 2.2 Adopt transportation principles, **street** design guidelines, and measurement tools **to assess the effectiveness** that encourage walking, **and** cycling, **and transit use. (This is reordered due to the moving of the original 2.2 to Goal 1) (TAC would like clarification from the Council with respect to what is considered a measurement tool. Do they include connectivity index, evaluation of improvement and performance measures?)**
- 2.3 Improve the relationship between the pedestrian and built environment by **enforcing ensuring compliance of** existing **design** guidelines **and standards**, and **encourage regulate** development **that to provides** interconnected and walkable destinations. *(TAC indicated that quality of inspection varies from County to County. Some facilities are not required or waived for certain developments, e.g., sidewalks are not required for all developments)*

Goal 3: Develop a plan of action to create pedestrian access options and strategies that connect communities and other destinations, **and will incorporate ongoing pedestrian education effort.**

Objectives:

- 3.2 Review traffic rules, and driver **and pedestrian** behavior to help support a safer pedestrian environment, and to strengthen and enforce traffic **safety** laws **that protect pedestrians to protect pedestrian safety.**
- 3.3 **Recognize and** minimize **institutional and** procedural barriers to a walkable environment by facilitating collaboration **within and** among the State, counties and local municipalities. *(TAC indicated that fatal flaws are procedural. Prioritize pedestrians over*

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Statewide Pedestrian Action Plan

Before

guidance for pedestrian facilities at the State, county, and local levels through the approved planning process and subdivision review regulations.

After

vehicles. Balance all modes of transportation)

- 3.4 Implement and objective and equitable systems for identifying and prioritizing needs and ~~affordable~~ projects.
- 3.5 Increase the availability *and use* of design ~~guidance~~ **guidelines and standards** for pedestrian facilities at the State, county, and local levels through the approved planning ~~process and subdivision review regulations and subdivision review processes~~.
- 3.6 **Promote safe travel for pedestrian by continuing cooperative statewide public education efforts among state agencies.**

Objectives:

- 4.1 Clarify maintenance responsibilities of the State, counties, municipalities and private parties for pedestrian facilities including sidewalks paths, and shoulders, where appropriate.
- 4.3 Seek existing funding sources from the federal, state, and local levels, and to establish a creative and sustainable funding mechanism for pedestrian facilities, safety education.
- 4.4 Establish financial incentives to encourage counties and municipalities to create and implement pedestrian facility policies, procedures, standards, and regulations.

Objectives:

- 4.1 Clarify maintenance responsibilities of the State, counties, municipalities and private parties for pedestrian facilities including sidewalks, **and** paths, **and shoulders**, where appropriate.
- 4.3 Seek ~~existing~~ funding sources from the federal, state, and ~~local levels~~ **municipalities**, and to establish a creative and sustainable funding mechanism for pedestrian facilities **and** safety education.
- 4.5 Establish financial incentives to encourage counties, **and** municipalities, **and the development community**, to create and implement pedestrian facility policies, procedures, standards and regulations.

Prioritization of Goals and Objectives

As a group activity, each TAC member was asked to prioritize the Goals and Objectives by assigning a priority value of High, Medium High, Medium, and Low to each item with colored dots. This exercise was aimed at gauging the preference by each member as to what they viewed as a priority. The project team evaluated and summarized the results of this exercise and presented it to the Committee. The results of the prioritization activity are attached.

Presentation of Draft Policy Analysis Document & Discussion

The project team overviewed the content of the draft Policy Analysis document, which was enclosed in the project notebook. The TAC was asked to provide comments back to the project team by June 8, 2007 (extended from the original date of June 6, 2007).

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Statewide Pedestrian Action Plan

Next Steps

The project team reviewed with the Committee members the remaining timeline for the completion of the Phase I document. The final document submission to DelDOT will be July 25, 2007, followed by the submission of the Phase I document to the Governor on July 30, 2007. The following is a listing of key dates.

- TAC Comments due by June 6, 2007 to DelDOT Staff
- Presentation of Draft Policy Analysis Document to Advisory Council – Meeting June 12, 2007
- Advisory Council Comments Due by June 19, 2007
- Final Draft Submitted to DelDOT June 29, 2007
- Final Comments from DelDOT staff Due by July 13, 2007
- Final Document Submission to DelDOT July 25, 2007
- July 30, 2007 Submission to Governor

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May 31, 2007 TAC Edits to Goals & Objectives

Vision, Goals, and Objectives **Statewide Pedestrian Action Plan**

The Technical Advisory Committee reviewed the draft Vision Statement and Plan Goals and Objectives and suggested the following changes shown in blue. The Committee requested additional time to review and provide comments. The Committee will provide final comments no later than June 8, 2007. The objectives shown in bold reflect the five key issues identified in the Governor's Executive Order No. 83.

Vision Statement

To improve the quality of life throughout Delaware by promoting safe and convenient pedestrian travel that enhances personal mobility and fitness.

The TAC suggested that we contact the Safe Routes to School Coordinator to verify program mission statement to blend that language with the above.

Plan Goals and Objectives

Goal 1: Promote ADA compliant pedestrian facilities to encourage mobility and encourage fitness of people through a balanced system of interconnected multi-modal transportation options.

Objectives:

- 1.1 **Ensure that ADA compliant paths and sidewalks are continuous and interconnected to the maximum extent feasible using sound engineering judgment.**
- 1.2 Develop an ADA compliant Transition Plan for existing and new facilities. *TAC commented that the gap with compliance is ensuring newly constructed facilities are ADA compliant. Coordination and inspection of construction is important.*
- 1.3 Develop and maintain an inventory of existing pedestrian facilities, and identify all non-ADA compliant elements of each facility. *(Note: This objective was originally 2.2, moved here due to sequencing of events.) TAC's concerns include cost associated with an accurate and detailed inventory.*
- 1.4 Eliminate or minimize physical barriers to a walkable environment by building and maintaining a functional and aesthetically pleasing pedestrian infrastructure with respect to existing and new facilities. *(Note: This objective was originally identified as 1.3, reordered to accommodate relocation of 2.2 to 1.3, refer to note in 1.3.)*

Goal 2: Increase the availability of safe pedestrian access through the implementation of policies, plans, regulations, and standards that ensure an integrated interconnected multi-modal transportation system.

Vision, Goals, and Objectives
Statewide Pedestrian Action Plan

Objectives:

2.1 **Develop consistent pedestrian facility design standards and guidelines that at a minimum comply with for ADA compliance with additional consideration for special needs groups such as senior citizens, the disabled and children among for use by the State, county, and municipal agencies.**

2.2 Adopt transportation principles, **street** design standards and guidelines and measurement tools that encourage walking, ~~and~~-cycling and transit use.

(Note: 2.2 was originally objective 2.3)

The TAC would like clarification from the Council with respect to what is considered a measurement tool? Do measurement tools include connectivity index, evaluation of improvement and performance measures?

2.3 Improve the relationship between the pedestrian and built environment ~~by enforcing~~ to ensure compliance with ~~existing~~ guidelines and standards; and ~~encourage~~ regulate development ~~that~~ to provides interconnected and walkable destinations.

(Note: 2.3 was originally objective 2.4)

TAC indicated that quality of inspection varies from County to County. And some facilities are not required or waved for certain developments (i.e. sidewalks are not required for all developments).

Goal 3: Develop a plan of action to create pedestrian access options and strategies that connect communities and other destinations, and will incorporate ongoing pedestrian safety education efforts.

Objectives:

3.1 **Promote land use and traffic patterns that encourage walking and environmental stewardship using the 4-E's of safe transportation planning – engineering, education, enforcement, and encouragement.**

3.2 **Review traffic rules and driver and pedestrian behavior to help support a safer pedestrian environment and to strengthen and enforce traffic laws that protect pedestrians to improve pedestrian safety.**

3.3 **Recognize and minimize institutional problems and procedural barriers to a walkable environment by facilitating collaboration with and among the State, counties and local municipalities.**

TAC indicated that fatal flaws are procedural. Prioritize pedestrians over vehicles. Balance all modes of transportation.

3.4 Implement an objective and equitable systems for identifying and prioritizing needs and **affordable** projects.

3.5 Increase the availability of design standards and guidelines for pedestrian facilities at the State, county and ~~local~~ municipal levels

Vision, Goals, and Objectives

Statewide Pedestrian Action Plan

through the approved planning **process** and subdivision review **process regulations**.

- 3.6 Promote safe travel for pedestrians by continuing cooperative statewide public education efforts among state agencies.

The TAC added this objective.

Goal 4: Establish a framework for capital improvements, maintenance, operation, and the financial responsibilities by jurisdictions for new and existing pedestrian facilities.

Objectives:

- 4.1 **Clarify maintenance responsibilities of the State, counties, municipalities and private parties for pedestrian facilities including sidewalks and paths and shoulders, where appropriate.**
- 4.2 Develop model maintenance programs for adoption by the State, counties, and local municipalities to preserve these facilities.
- 4.3 Seek **existing** funding sources from the federal, state, **county** and **local municipal** levels, ~~and~~ to establish a creative and sustainable funding mechanism for pedestrian facilities, and safety education.
- 4.4 Establish financial incentives to encourage counties, ~~and~~ municipalities **and development community** to create and implement pedestrian facility policies, procedures, standards, **guidelines** and regulations.

Appendix C: US Department of Justice Guide to Disability Rights Laws

U.S. Department of Justice
Civil Rights Division
Disability Rights Section



A GUIDE TO DISABILITY RIGHTS LAWS

September 2005

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For persons with disabilities, this document is available in large print, Braille, audio tape, and computer disk.

Reproduction of this document is encouraged.

This guide provides an overview of Federal civil rights laws that ensure equal opportunity for people with disabilities. To find out more about how these laws may apply to you, contact the agencies and organizations listed below.

Americans with Disabilities Act (ADA)

The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

ADA Title I: Employment

Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship. Religious entities with 15 or more employees are covered under title I.

Title I complaints must be filed with the U. S. Equal Employment Opportunity Commission (EEOC) within 180 days of the date of discrimination, or 300 days if the charge is filed with a designated State or local fair employment practice agency. Individuals may file a lawsuit in Federal court only after they receive a “right-to-sue” letter from the EEOC.

Charges of employment discrimination on the basis of disability may be filed at any U.S. Equal Employment Opportunity Commission field office. Field offices are located in 50 cities throughout the U.S. and are listed in most telephone directories under “U.S. Government.” For the appropriate EEOC field office in your geographic area, contact:

(800) 669-4000 (voice)
(800) 669-6820 (TTY)

www.eeoc.gov

Publications and information on EEOC-enforced laws may be obtained by calling:

(800) 669-3362 (voice)
(800) 800-3302 (TTY)

For information on how to accommodate a specific individual with a disability, contact the Job Accommodation Network at:

(800) 526-7234 (voice/TTY)

www.jan.wvu.edu

ADA Title II: State and Local Government Activities

Title II covers all activities of State and local governments regardless of the government entity’s size or receipt of Federal funding. Title II requires that State and local governments give

people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

Complaints of title II violations may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. For more information, contact:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section - NYAV
Washington, D.C. 20530

www.ada.gov

(800) 514-0301 (voice)

(800) 514-0383 (TTY)



Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the Department of Justice (DOJ) or any other Federal agency, or to receive a “right-to-sue” letter, before going to court.

ADA Title II: Public Transportation

The transportation provisions of title II cover public transportation services, such as city buses and public rail transit (e.g. subways, commuter rails, Amtrak). Public transportation authorities may not discriminate against people with disabilities in the provision of their services. They must comply with requirements for accessibility in newly purchased vehicles, make good faith efforts to purchase or lease accessible used buses, remanufacture buses in an accessible manner, and, unless it would result in an undue burden, provide paratransit where they operate fixed-route bus or rail systems. Paratransit is a service where individuals who are unable to use the regular transit system independently (because of a physical or mental impairment) are picked up and dropped off at their destinations. Questions and complaints about public transportation should be directed to:

Office of Civil Rights
Federal Transit Administration
U.S. Department of Transportation
400 Seventh Street, S.W., Room 9102
Washington, D.C. 20590

www.fta.dot.gov/ada

(888) 446-4511 (voice/relay)

ADA Title III: Public Accommodations

Title III covers businesses and nonprofit service providers that are public accommodations, privately operated entities offering certain types of courses and examinations, privately operated transportation, and commercial facilities. Public accommodations are private entities who own, lease, lease to, or operate facilities such as restaurants, retail stores, hotels, movie theaters, private schools, convention centers, doctors' offices, homeless shelters, transportation depots, zoos, funeral homes, day care centers, and recreation facilities including sports stadiums and fitness clubs. Transportation services provided by private entities are also covered by title III.

Public accommodations must comply with basic nondiscrimination requirements that prohibit exclusion, segregation, and unequal treatment. They also must comply with specific requirements related to architectural standards for new and altered buildings; reasonable modifications to policies, practices, and procedures; effective communication with people with hearing, vision, or speech disabilities; and other access requirements. Additionally, public accommodations must remove barriers in existing buildings where it is easy to do so without much difficulty or expense, given the public accommodation's resources.

Courses and examinations related to professional, educational, or trade-related applications, licensing, certifications, or credentialing must be provided in a place and manner accessible to people with disabilities, or alternative accessible arrangements must be offered.

Commercial facilities, such as factories and warehouses, must comply with the ADA's architectural standards for new construction and alterations.

Complaints of title III violations may be filed with the Department of Justice. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department is authorized to bring a lawsuit where there is a pattern or practice of discrimination in violation of title III, or where an act of discrimination raises an issue of general public importance. Title III may also be enforced through private lawsuits. It is not necessary to file a complaint with the Department of Justice (or any Federal agency), or to receive a “right-to-sue” letter, before going to court. For more information, contact:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section - NYAV
Washington, D.C. 20530

www.ada.gov

(800) 514-0301 (voice)

(800) 514-0383 (TTY)

ADA Title IV: Telecommunications Relay Services

Title IV addresses telephone and television access for people with hearing and speech disabilities. It requires common carriers (telephone companies) to establish interstate and intrastate telecommunications relay services (TRS) 24 hours a day, 7 days a week. TRS enables callers with hearing and speech disabilities who use telecommunications devices for the deaf (TDDs), which are also known as teletypewriters (TTYs), and callers who use voice telephones to communicate with each other through a third party communications assistant. The Federal Communications Commission (FCC) has set minimum standards for TRS services. Title IV also requires closed captioning of Federally funded public service announcements. For more information about TRS, contact the FCC at:

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

www.fcc.gov/cgb/dro

(888) 225-5322 (Voice)
(888) 835-5322 (TTY)

Telecommunications Act

Section 255 and Section 251(a)(2) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, require manufacturers of telecommunications equipment and providers of telecommunications services to ensure that such equipment and services are accessible to and usable by persons with disabilities, if readily achievable. These amendments ensure that people with disabilities will have access to a broad range of products and services such as telephones, cell phones, pagers, call-waiting, and operator services, that were often inaccessible to many users with disabilities. For more information, contact:

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

www.fcc.gov/cgb/dro

(888) 225-5322 (Voice)
(888) 835-5322 (TTY)

Fair Housing Act

The Fair Housing Act, as amended in 1988, prohibits housing discrimination on the basis of race, color, religion, sex, disability, familial status, and national origin. Its coverage includes private housing, housing that receives Federal financial assistance, and State and local government housing. It is unlawful to discriminate in any aspect of selling or renting housing or to deny a dwelling to a buyer or renter because of the disability of that individual, an individual associated with the buyer or renter, or an individual who intends to live in the residence. Other covered activities include, for example, financing, zoning practices, new construction design, and advertising.

The Fair Housing Act requires owners of housing facilities to make reasonable exceptions in their policies and operations to afford people with disabilities equal housing opportunities. For example, a landlord with a “no pets” policy may be required to grant an exception to this rule and allow an individual who is blind to keep a guide dog in the residence. The Fair Housing Act also requires landlords to allow tenants with disabilities to make reasonable access-related modifications to their private living space, as well as to common use spaces. (The landlord is not required to pay for the changes.) The Act further requires that new multifamily housing with four or more units be designed and built to allow access for persons with disabilities. This includes accessible common use areas, doors that are wide enough for wheelchairs, kitchens and bathrooms that allow a person using a wheelchair to maneuver, and other adaptable features within the units.

Complaints of Fair Housing Act violations may be filed with the U.S. Department of Housing and Urban Development. For more information or to file a complaint, contact:

Office of Program Compliance and Disability Rights
Office of Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
451 7th Street, S.W., Room 5242
Washington, D.C. 20410

www.hud.gov/offices/ftheo

(800) 669-9777 (voice)

(800) 927-9275 (TTY)

For questions about the accessibility provisions of the Fair Housing Act, you may contact Fair Housing Accessibility FIRST at:

www.fairhousingfirst.org

(888) 341-7781 (voice/TTY)

For publications, you may call the Housing and Urban Development Customer Service Center at:

(800) 767-7468 (voice/relay)

Additionally, the Department of Justice can file cases involving a pattern or practice of discrimination. The Fair Housing Act may also be enforced through private lawsuits.

Air Carrier Access Act

The Air Carrier Access Act prohibits discrimination in air transportation by domestic and foreign air carriers against qualified individuals with physical or mental impairments. It applies only to air carriers that provide regularly scheduled services for hire to the public. Requirements address a wide range of issues including boarding assistance and certain accessibility features in newly built aircraft and new or altered airport facilities. People may enforce rights under the Air Carrier Access Act by filing a complaint with the U.S. Department of Transportation, or by bringing a lawsuit in Federal court. For more information or to file a complaint, contact:

Aviation Consumer Protection Division
U.S. Department of Transportation
400 Seventh Street, S.W.
Room 4107, C-75
Washington, D.C. 20590

airconsumer.ost.dot.gov

(202) 366-2220 (voice)
(202) 366-0511 (TTY)

(800) 778-4838 (voice)
(800) 455-9880 (TTY)

Voting Accessibility for the Elderly and Handicapped Act

The Voting Accessibility for the Elderly and Handicapped Act of 1984 generally requires polling places across the United States to be physically accessible to people with disabilities for federal elections. Where no accessible location is available to serve as a polling place, a political subdivision must provide an alternate means of casting a ballot on the day of the election. This law also requires states to make available registration and voting aids for disabled and elderly voters, including information by telecommunications devices for the deaf (TDDs) which are also known as teletypewriters (TTYs). For more information, contact:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Voting Section - 1800G
Washington, D.C. 20530

(800) 253-3931 (voice/TTY)

National Voter Registration Act

The National Voter Registration Act of 1993, also known as the "Motor Voter Act," makes it easier for all Americans to exercise their fundamental right to vote. One of the basic purposes of the Act is to increase the historically low registration rates of minorities and persons with disabilities that have resulted from discrimination. The Motor Voter Act requires all offices of State-funded programs that are primarily engaged in providing services to persons with disabilities to provide all program applicants with voter registration forms, to assist them in completing the forms, and to transmit completed forms to the appropriate State official. For more information, contact:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Voting Section - 1800G
Washington, D.C. 20530

www.usdoj.gov/crt/voting

(800) 253-3931 (voice/TTY)

Civil Rights of Institutionalized Persons Act

The Civil Rights of Institutionalized Persons Act (CRIPA) authorizes the U.S. Attorney General to investigate conditions of confinement at State and local government institutions such as prisons, jails, pretrial detention centers, juvenile correctional facilities, publicly operated nursing homes, and institutions for people with psychiatric or developmental disabilities. Its purpose is to allow the Attorney General to uncover and correct widespread deficiencies that seriously jeopardize the health and safety of residents of institutions. The Attorney General does not have authority under CRIPA to investigate isolated incidents or to represent individual institutionalized persons.

The Attorney General may initiate civil law suits where there is reasonable cause to believe that conditions are “egregious or flagrant,” that they are subjecting residents to “grievous harm,” and that they are part of a “pattern or practice” of resistance to residents’ full enjoyment of constitutional or Federal rights, including title II of the ADA and section 504 of the Rehabilitation Act. For more information or to bring a matter to the Department of Justice’s attention, contact:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Special Litigation Section - PHB
Washington, D.C. 20530

www.usdoj.gov/crt/split

(877) 218-5228 (voice/TTY)

Individuals with Disabilities Education Act

The Individuals with Disabilities Education Act (IDEA) (formerly called P.L. 94-142 or the Education for all Handicapped Children Act of 1975) requires public schools to make available to all eligible children with disabilities a free appropriate public education in the least restrictive environment appropriate to their individual needs.

IDEA requires public school systems to develop appropriate Individualized Education Programs (IEP's) for each child. The specific special education and related services outlined in each IEP reflect the individualized needs of each student.

IDEA also mandates that particular procedures be followed in the development of the IEP. Each student's IEP must be developed by a team of knowledgeable persons and must be at least reviewed annually. The team includes the child's teacher; the parents, subject to certain limited exceptions; the child, if determined appropriate; an agency representative who is qualified to provide or supervise the provision of special education; and other individuals at the parents' or agency's discretion.

If parents disagree with the proposed IEP, they can request a due process hearing and a review from the State educational agency if applicable in that state. They also can appeal the State agency's decision to State or Federal court. For more information, contact:

Office of Special Education & Rehabilitative Services
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-7100

www.ed.gov/about/offices/list/osers/osep

(202) 245-7468 (voice/TTY)

Rehabilitation Act

The Rehabilitation Act prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance, in Federal employment, and in the employment practices of Federal contractors. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in title I of the Americans with Disabilities Act.

Section 501

Section 501 requires affirmative action and nondiscrimination in employment by Federal agencies of the executive branch. To obtain more information or to file a complaint, employees should contact their agency's Equal Employment Opportunity Office.

Section 503

Section 503 requires affirmative action and prohibits employment discrimination by Federal government contractors and subcontractors with contracts of more than \$10,000. For more information on section 503, contact:

Office of Federal Contract Compliance Programs
U.S. Department of Labor
200 Constitution Avenue, N.W., Room C-3325
Washington, D.C. 20210

www.dol.gov/esa/ofccp

(202) 693-0106 (voice/relay)

Section 504

Section 504 states that “no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under” any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service.

Each Federal agency has its own set of section 504 regulations that apply to its own programs. Agencies that provide Federal financial assistance also have section 504 regulations covering entities that receive Federal aid. Requirements common to these regulations include reasonable accommodation for employees with disabilities; program accessibility; effective communication with people who have hearing or vision disabilities; and accessible new construction and alterations. Each agency is responsible for enforcing its own regulations. Section 504 may also be enforced through private lawsuits. It is not necessary to file a complaint with a Federal agency or to receive a “right-to-sue” letter before going to court.

For information on how to file 504 complaints with the appropriate agency, contact:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section - NYAV
Washington, D.C. 20530

www.ada.gov

(800) 514-0301 (voice)
(800) 514-0383 (TTY)

Section 508

Section 508 establishes requirements for electronic and information technology developed, maintained, procured, or used by the Federal government. Section 508 requires Federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public.

An accessible information technology system is one that can be operated in a variety of ways and does not rely on a single sense or ability of the user. For example, a system that provides output only in visual format may not be accessible to people with visual impairments and a system that provides output only in audio format may not be accessible to people who are deaf or hard of hearing. Some individuals with disabilities may need accessibility-related software or peripheral devices in order to use systems that comply with Section 508. For more information on section 508, contact:

U.S. General Services Administration
Center for IT Accommodation (CITA)
1800 F Street, N.W.
Room 1234, MC:MKC
Washington, DC 20405-0001

www.gsa.gov/section508

(202) 501-4906 (voice)
(202) 501-2010 (TTY)

U.S. Architectural and Transportation
Barriers Compliance Board
1331 F Street, N.W., Suite 1000
Washington, DC 20004-1111

www.access-board.gov

800-872-2253 (voice)
800-993-2822 (TTY)

Architectural Barriers Act

The Architectural Barriers Act (ABA) requires that buildings and facilities that are designed, constructed, or altered with Federal funds, or leased by a Federal agency, comply with Federal standards for physical accessibility. ABA requirements are limited to architectural standards in new and altered buildings and in newly leased facilities. They do not address the activities conducted in those buildings and facilities. Facilities of the U.S. Postal Service are covered by the ABA. For more information or to file a complaint, contact:

U.S. Architectural and Transportation
Barriers Compliance Board
1331 F Street, N.W., Suite 1000
Washington, D.C. 20004-1111

www.access-board.gov

(800) 872-2253 (voice)
(800) 993-2822 (TTY)

General Sources of Disability Rights Information

ADA Information Line
(800) 514-0301 (voice)
(800) 514-0383 (TTY)
www.ada.gov

Regional ADA and IT
Technical Assistance Centers
(800) 949-4232 (voice/TTY)
www.adata.org

Statute Citations

Air Carrier Access Act of 1986

49 U.S.C. § 41705

Implementing Regulation:

14 CFR Part 382

Americans with Disabilities Act of 1990

42 U.S.C. §§ 12101 et seq.

Implementing Regulations:

29 CFR Parts 1630, 1602 (Title I, EEOC)

28 CFR Part 35 (Title II, Department of Justice)

49 CFR Parts 27, 37, 38 (Title II, III, Department of Transportation)

28 CFR Part 36 (Title III, Department of Justice)

47 CFR §§ 64.601 et seq. (Title IV, FCC)

Architectural Barriers Act of 1968

42 U.S.C. §§ 4151 et seq.

Implementing Regulation:

41 CFR Subpart 101-19.6

Civil Rights of Institutionalized Persons Act

42 U.S.C. §§ 1997 et seq.

Fair Housing Amendments Act of 1988

42 U.S.C. §§ 3601 et seq.

Implementing Regulation:

24 CFR Parts 100 et seq.

Individuals with Disabilities Education Act

20 U.S.C. §§ 1400 et seq.

Implementing Regulation:

34 CFR Part 300

National Voter Registration Act of 1993

42 U.S.C. §§ 1973gg et seq.

Section 501 of the Rehabilitation Act of 1973, as amended

29 U.S.C. § 791

Implementing Regulation:

29 CFR § 1614.203

Section 503 of the Rehabilitation Act of 1973, as amended

29 U.S.C. § 793

Implementing Regulation:

41 CFR Part 60-741

Section 504 of the Rehabilitation Act of 1973, as amended

29 U.S.C. § 794

Over 20 Implementing Regulations for federally assisted programs, including:

34 CFR Part 104 (Department of Education)

45 CFR Part 84 (Department of Health and Human Services)

28 CFR §§ 42.501 et seq.

Over 95 Implementing Regulations for federally conducted programs, including:

28 CFR Part 39 (Department of Justice)

Section 508 of the Rehabilitation Act of 1973, as amended

29 U.S.C. § 794d

Telecommunications Act of 1996

47 U.S.C. §§ 255, 251(a)(2)

Voting Accessibility for the Elderly and Handicapped Act of 1984

42 U.S.C. §§ 1973ee et seq.



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