



## Technical Memorandum

**To:** FILE  
**From:** SDOT ADA Committee  
**Date:** October 5, 2018  
**Re:** Curb Ramp Triggers

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### Overview and Purpose

To provide comprehensive guidance on what activities trigger curb ramp obligations under the Americans with Disabilities Act (ADA) and additional local interpretations of these requirements. This technical guidance applies to curb ramp obligations within the public right-of-way and within the jurisdiction of the City of Seattle.

### Regulations, Standards, and Guidance

**1) The Americans with Disabilities Act, 42 U.S.C. §§ 12131 et seq., with the implementing regulation of Title II, 28 C.F.R. § 35.151(i)**

(1) Newly constructed or altered streets, roads, and highways must contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway.

(2) Newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways.

*Supplemental SDOT Guidance: When streets, roadways, or highways are altered, it is required that curb ramps serving the altered crosswalks are constructed or improved if any feature(s) of an existing curb ramp(s) does not meet the current design standards. New sidewalks or pedestrian walkways provided at intersections must include curb ramps.*

**2) The Americans with Disabilities Act, Title II Technical Assistance Manual**

**II-5.3000 Curb Ramps.** Public entities that have responsibility or authority over streets, roads, or walkways must prepare a schedule for providing curb ramps where pedestrian walkways cross curbs. Public entities must give priority to walkways serving State and local government offices and facilities, transportation, places of public accommodation, and employees, followed by walkways serving other areas. This schedule must be included as part of a transition plan (see II-8.3000).

To promote both efficiency and accessibility, public entities may choose to construct curb ramps at every point where a pedestrian walkway intersects a curb. However, public entities are not necessarily required to construct a curb ramp at every such intersection.

Alternative routes to buildings that make use of existing curb cuts may be acceptable under the concept of program accessibility in the limited circumstances where individuals with disabilities need only travel a marginally longer route. In addition, the fundamental alteration and undue burdens

limitations may limit the number of curb ramps required. To achieve or maintain program accessibility, it may be appropriate to establish an ongoing procedure for installing curb ramps upon request in areas frequented by individuals with disabilities as residents, employees, or visitors.

*What are walkways?* Pedestrian walkways include locations where access is required for use of public transportation, such as bus stops that are not located at intersections or crosswalks.

**Supplemental SDOT Guidance:** *Where alterations to streets or sidewalks occur, curb ramps (or otherwise adequate access to the crosswalks) must be provided. This requirement applies where sidewalks or other identified pedestrian routes cross or intersect curbs or other barriers to accessing the crosswalk. Under the ADA, curb ramps are not required in locations where there is no sidewalk provided.*

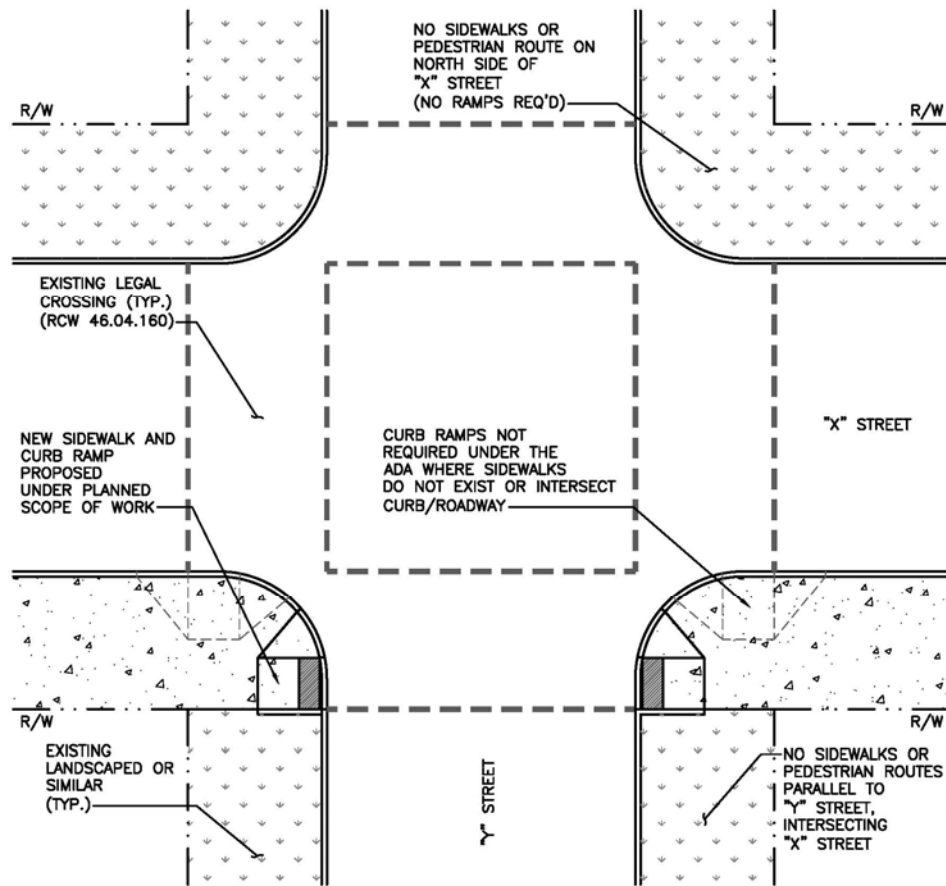
*In cases where other pedestrian routes exist (i.e. non-traditional sidewalks without curb and gutter) and are intended to be used, access to the crosswalk is required and improvements to the surface treatments may be required, including the provision of a detectable warning surface.*

**Note:** *Even though the ADA does not require curb ramps in locations where sidewalks do not exist, engineering judgment may need to be applied to determine access needs in some situations. For example, there may be existing transit facilities or bus stops, or other public facilities within the boundaries of a planned scope of work that need access improvements. In some cases, it may be possible to expand the project scope and/or work with various partners (e.g. King County Metro or other) to include the addition of sidewalks and curb ramps to complete access to these public facilities.*

**Examples:** *The following examples are provided to illustrate curb ramp and access obligations under the ADA in cases where sidewalk networks do not exist or are incomplete. These examples are intended to be used as general reference, and do not represent all possible scenarios. In cases where the engineer is unsure of the obligations under the ADA, please consult with the SDOT ADA Coordinator.*

*Also keep in mind the Washington State requirement to provide companion ramps ([RCW 36.68.075](#)).*

*For the following diagrams, assume that a resurfacing or major alteration project would trigger all associated curb ramps at an intersection, where sidewalks exist or are proposed. Assume plan north is located at the top of the page for each diagram.*



**Example 1: 4-Way Intersection without Existing Sidewalks (Unimproved)**

**Assumptions:**

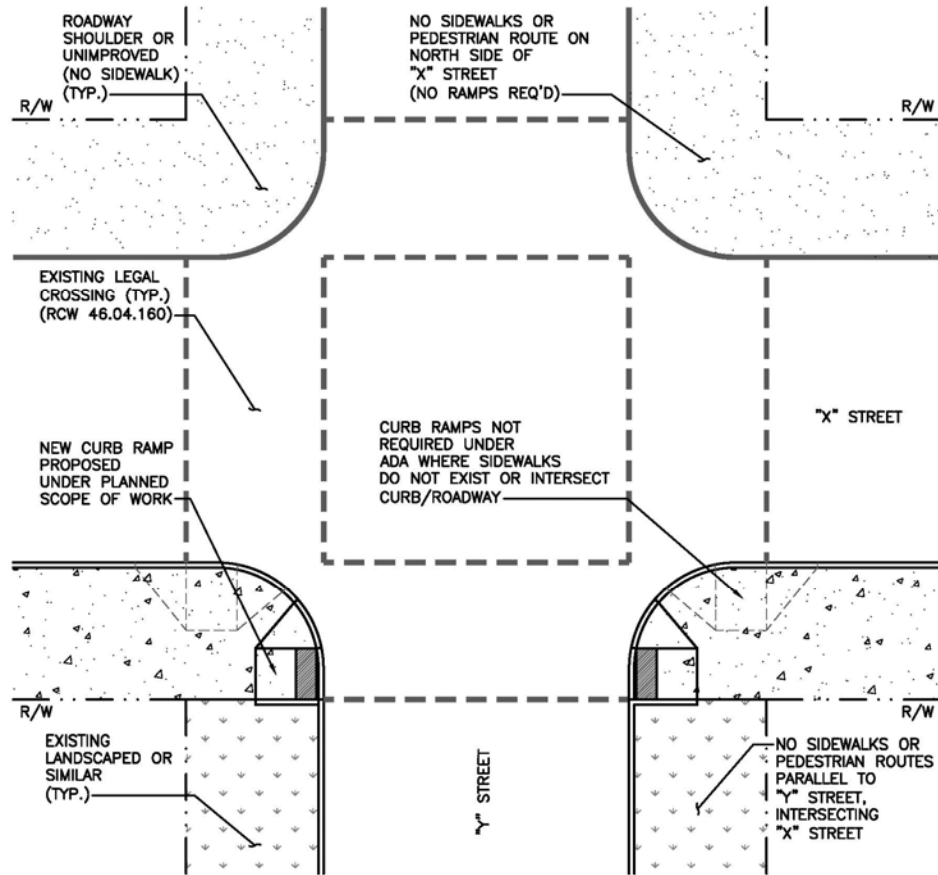
- Project scope of work triggers curb ramp obligations throughout the intersection (resurfacing or other major alterations)
- There are no existing sidewalks in the area
- Sidewalks and curb ramps are planned parallel to "X" Street on the south side of the intersection

**Requirements (under the ADA):**

- Curb ramps are required as a part of new construction or alterations where a sidewalk intersects a curb
- Curb ramps are not required parallel to "Y" Street and on the north side of the intersection due to lack of existing or proposed new sidewalks

**Recommendations:**

- Review potential access needs on the north side of the intersection (e.g. immediately adjacent transit facilities, bus stops, or other public facilities); if identified, consider adding curb ramps and/or sidewalks to the project scope to address access needs
- If there are no public facilities requiring access in the immediate area, curb ramps are not required crossing "X" Street and on the north side of the intersection
- When sidewalks are constructed on the north side of the intersection in the future, curb ramps will be required as well as companion ramps on the south side of "X" Street.



**Example 2: 4-Way Intersection without Existing Sidewalks (Roadway Shoulder)**

**Assumptions:**

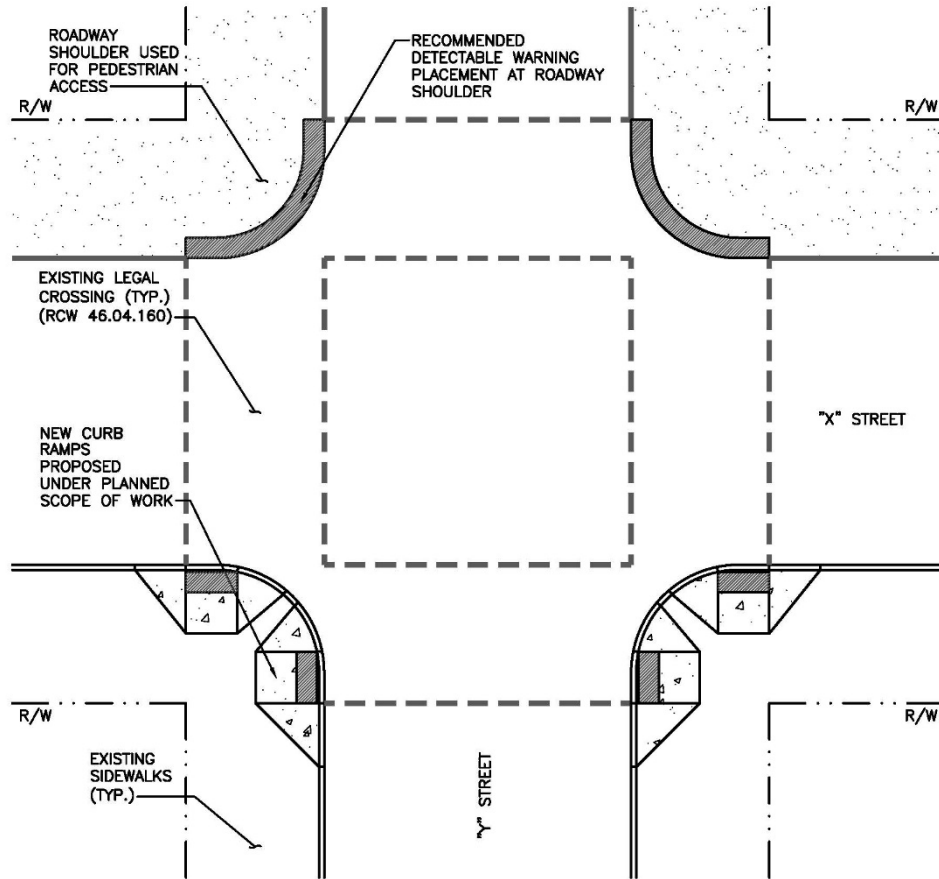
- Project scope of work triggers curb ramp obligations throughout the intersection (resurfacing or other major alterations)
- There are no existing sidewalks in the area
- Sidewalks and curb ramps are planned parallel to “X” Street on the south side of the intersection

**Requirements (under the ADA):**

- Curb ramps are required as a part of new construction or alterations where a sidewalk intersects a curb
- Curb ramps are not required parallel to “Y” Street and on the north side of the intersection due to lack of existing or proposed new sidewalks
- **IF** the roadway shoulder is an intended and identified pedestrian route, improve access and provide a detectable warning surface where the route intersects the roadway

**Recommendations:**

- Review potential access needs on the north side of the intersection (e.g. immediately adjacent transit facilities, bus stops, or other public facilities); if identified, consider adding curb ramps and/or sidewalks to the project scope to address access needs
- If there are no public facilities requiring access in the immediate area, curb ramps are not required crossing “X” Street and on the north side of the intersection
- When sidewalks are constructed on the north side of the intersection in the future, curb ramps will be required as well as companion ramps on the south side of “X” Street.



**Example 3: 4-Way Intersection with Existing Sidewalks (Roadway Shoulder)**

**Assumptions:**

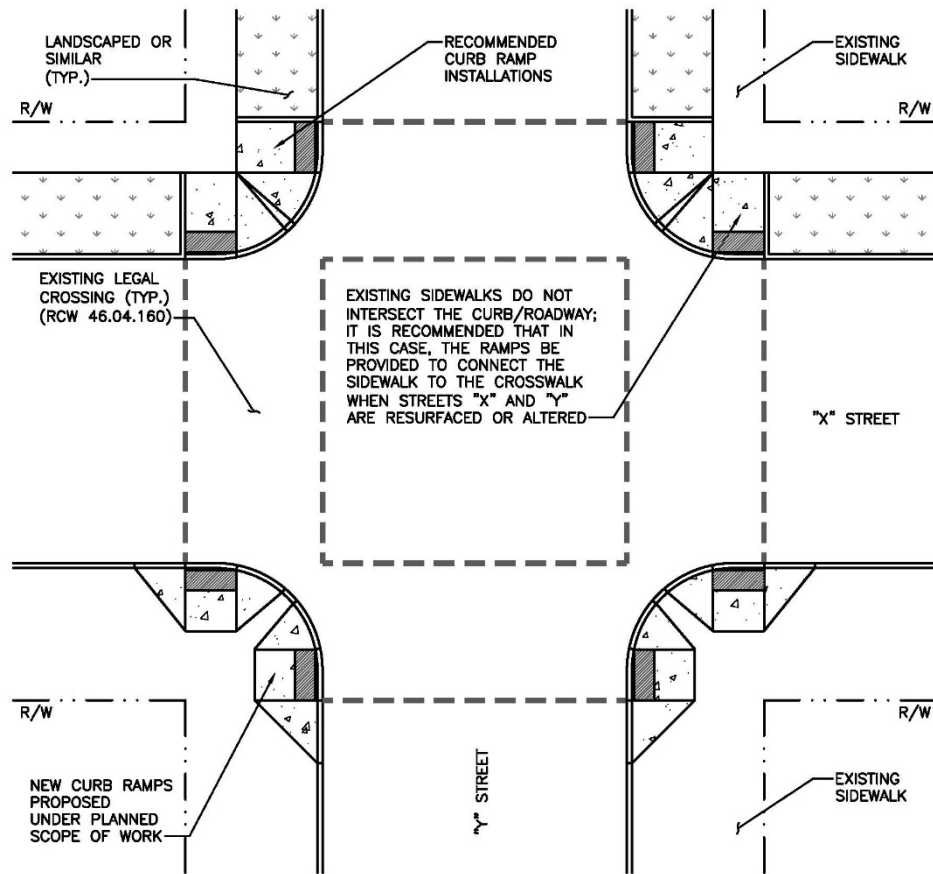
- Project scope of work triggers curb ramp obligations throughout the intersection (resurfacing or other major alterations)
- There are existing sidewalks in the area; roadway shoulder on the north side of "X" Street used for pedestrian access

**Requirements (under the ADA):**

- Curb ramps are required as a part of new construction or alterations where a sidewalk intersects a curb
- **IF** the roadway shoulder is an intended and identified pedestrian route, improve access and provide a detectable warning surface where the route intersects the roadway

**Recommendations:**

- Review potential access needs on the north side of the intersection (e.g. immediately adjacent transit facilities, bus stops, or other public facilities); if identified, consider adding curb ramps and/or sidewalks to the project scope to address access needs
- **IF** the roadway shoulder, under the planned project scope of work, is not intended to be improved, at a minimum detectable warning should be provided where the route intersects the roadway
- The placement of detectable warning should be provided to best accommodate the pedestrian route and the crosswalk served; a radial detectable warning design, rather than straight sections of detectable warning tile, is recommended, but likely will need to be reviewed on a case-by-case basis



#### **Example 4: 4-Way Intersection with Partial Sidewalks**

##### **Assumptions:**

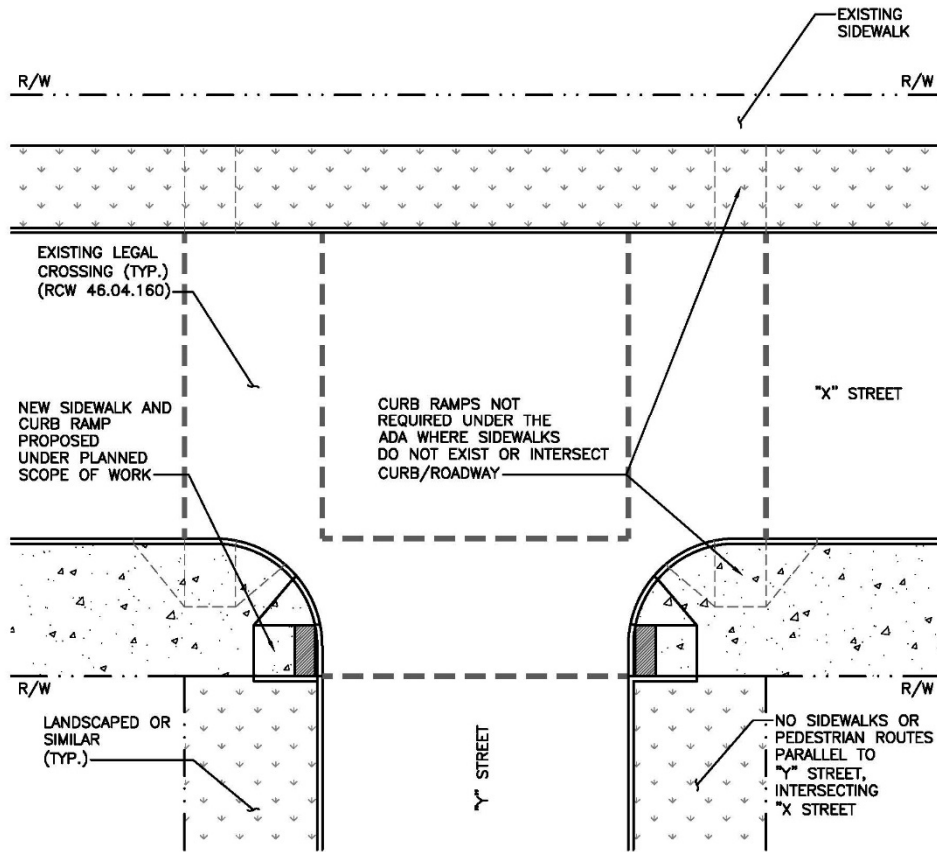
- Project scope of work triggers curb ramp obligations throughout the intersection (resurfacing or other major alterations)
- There are sidewalks provided on the south side of the intersection intersecting the curb; sidewalks on the north side of the intersection terminate and do not extend to the curb

##### **Requirements (under the ADA):**

- Curb ramps are required as a part of new construction or alterations where a sidewalk intersects a curb
- Curb ramps are not required on the north side of the intersection as they do not intersect the curb

##### **Recommendations:**

- Although the existing sidewalks on the north side of the intersection do not intersect the curb, the curb ramps should be provided for access to the crosswalk and to satisfy companion ramp requirements



### **Example 5: T-Shaped Intersection with Partial Sidewalks**

#### **Assumptions:**

- Project scope of work triggers curb ramp obligations throughout the intersection (resurfacing or other major alterations)
- There are no existing sidewalks in the area
- Sidewalks and curb ramps are planned parallel to "X" Street on the south side of the intersection

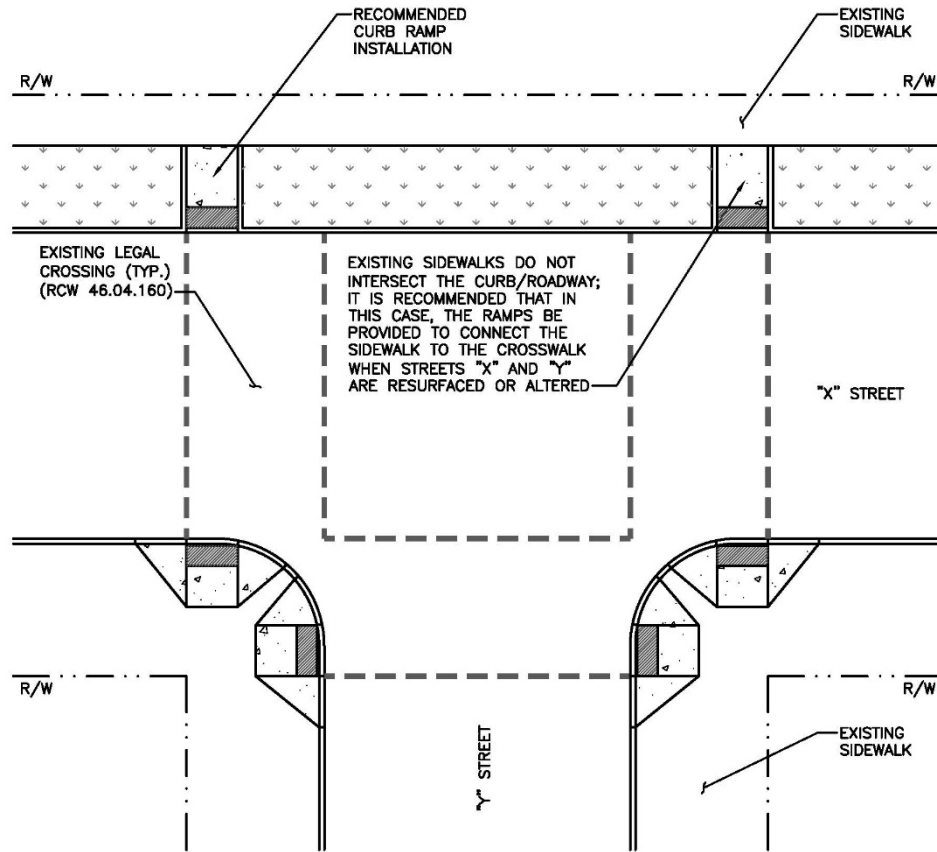
#### **Requirements (under the ADA):**

- Curb ramps are required as a part of new construction or alterations where a sidewalk intersects a curb
- Curb ramps are not required parallel to "Y" Street and on the north side of the intersection due to lack of existing or proposed new sidewalks

#### **Recommendations:**

- Review potential access needs on the north side of the intersection (e.g. immediately adjacent transit facilities, bus stops, or other public facilities); if identified, consider adding curb ramps and/or sidewalks to the project scope to address access needs
- If there are no public facilities requiring access in the immediate area, curb ramps are not required crossing "X" Street and on the north side of the intersection
- When sidewalks are constructed on the south side of the intersection (parallel to "Y" Street) in the future, curb ramps will be required as well as companion ramps on the north side of "X" Street.
- Refer to the [SDOT Policy for Curb Ramps at T-Shaped Intersections](#) for additional information and requirements.





### **Example 6: T-Shaped Intersection with Partial Sidewalks**

#### **Assumptions:**

- Project scope of work triggers curb ramp obligations throughout the intersection (resurfacing or other major alterations)
- There are sidewalks provided on the south side of the intersection intersecting the curb; sidewalks on the north side of the intersection do not extend to the curb

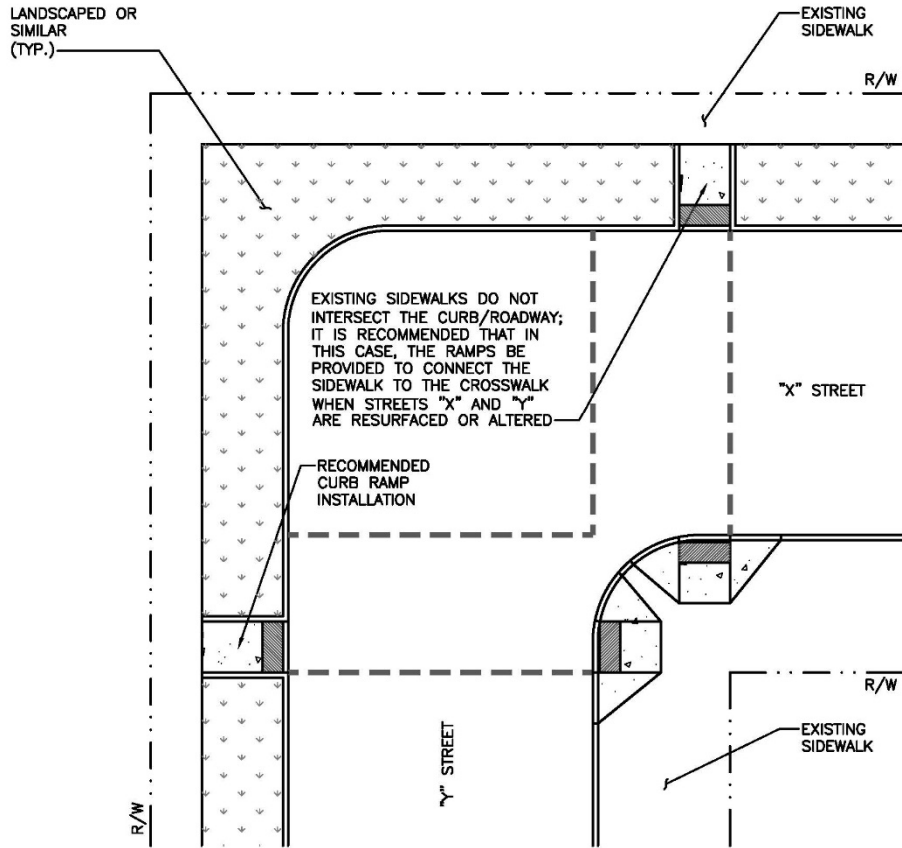
#### **Requirements (under the ADA):**

- Curb ramps are required as a part of new construction or alterations where a sidewalk intersects a curb
- Curb ramps are not required on the north side of the intersection as they do not intersect the curb

#### **Recommendations:**

- Although the existing sidewalks on the north side of the intersection do not intersect the curb, the curb ramps should be provided for access to the crosswalk and to satisfy companion ramp requirements
- Refer to the [SDOT Policy for Curb Ramps at T-Shaped Intersections](#) for additional information and requirements.





### **Example 7: L-Shaped Intersection with Partial Sidewalks**

#### **Assumptions:**

- Project scope of work triggers curb ramp obligations throughout the intersection (resurfacing or other major alterations)
- There are sidewalks provided on the southeast side of the intersection intersecting the curb; sidewalks on the north and west sides of the intersection do not extend to the curb

#### **Requirements (under the ADA):**

- Curb ramps are required as a part of new construction or alterations where a sidewalk intersects a curb
- Curb ramps are not required on the north and west sides of the intersection as they do not intersect the curb

#### **Recommendations:**

- Although the existing sidewalks on the north and west sides of the intersection do not intersect the curb, the curb ramps should be provided for access to the crosswalk and to satisfy companion ramp requirements
- Refer to the [SDOT Policy for Curb Ramps at T-Shaped Intersections](#) for additional information and requirements for similar conditions.

**3) Department of Justice/Department of Transportation Joint Technical Assistance on Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered Through Resurfacing, July 8, 2013**

“Title II of the Americans with Disabilities Act (ADA) requires that state and local governments ensure that persons with disabilities have access to the pedestrian routes in the public right of way. An important part of this requirement is the obligation whenever streets, roadways, or highways are *altered* to provide curb ramps where street level pedestrian walkways cross curbs. This requirement is intended to ensure the accessibility and usability of the pedestrian walkway for persons with disabilities.”

For additional information, refer to the [Joint Technical Assistance](#) memorandum and the supplemental [Question & Answers](#) document provided by the Federal Highway Administration (FHWA). Refer to the [Glossary of Terms](#) for definitions of roadway alterations and maintenance activities identified in the FHWA technical assistance document.

**Examples of Identified Alteration Activities that Trigger Curb Ramp Obligations (per FHWA Joint Technical Assistance document):**

- Resurfacing
  - Overlay or Additional Material Added to Roadway Surface
  - Mill and Fill
- Reconstruction
  - Full-Depth Reclamation
  - Cold-in-Place Recycling
  - Widening or Geometrical Changes to Roadway Profile
- Rehabilitation
  - Full Slab Replacement
  - Slab Jacking
- Other Identified Alterations
  - Open-Graded Friction Course
  - Microsurfacing
  - Thin Lift Overlays
  - Cape Seals
  - In-Place Asphalt Recycling

**Examples of Identified Maintenance Activities that may not Trigger Curb Ramp Obligations<sup>1</sup> (per FHWA Joint Technical Assistance document):**

- Crack Filling and Sealing
- Surface Sealing / Chip Seals / Slurry Seals / Fog Seals / Scrub Seals / Joint Crack Seals
- Joint Crack Seals
- Joint Repairs
- Dowel Retrofits
- Spot High-Friction Treatments
- Diamond Grinding
- Pavement Patching (Full or Partial Depth)

<sup>1</sup>Combination of several maintenance treatments occurring at or near the same time may qualify as an alteration and would trigger the obligation to provide ramps.

***SDOT Interpretations:*** *SDOT acknowledges these identified activities that are considered alterations to the street, roadway, or highway, triggering curb ramp installation or improvement obligations. Maintenance activities, even if occurring in the crosswalk, do not necessarily trigger the curb ramp improvement obligations unless there are multiple maintenance activities that occur simultaneously.*

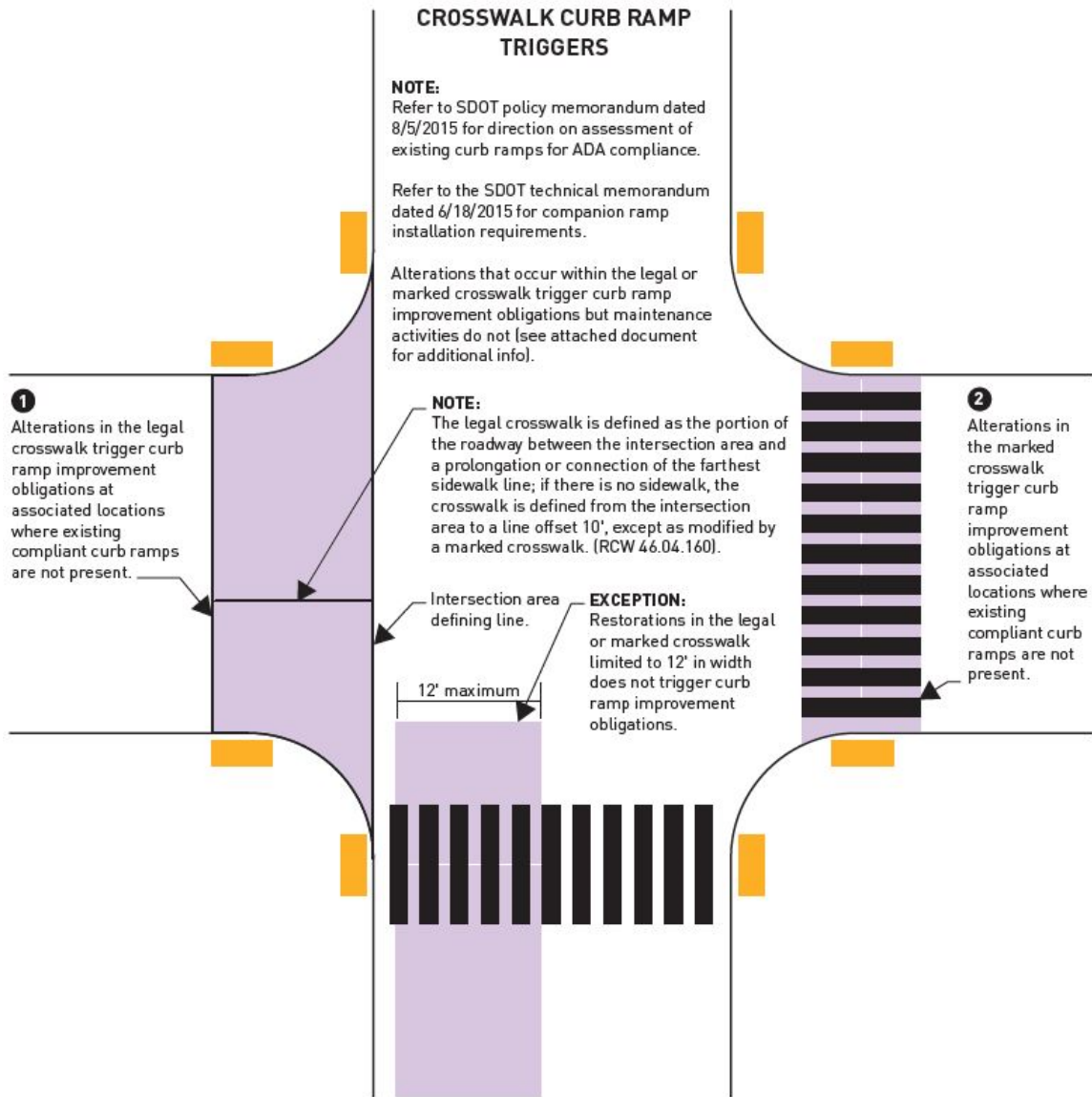
*In addition to these identified curb ramp triggers, SDOT details requirements and exceptions in the Right-of-Way Opening and Restoration Rule (refer to guidance reference #4 within this document for additional information).*

**4) SDOT Director’s Rule 01-2017: [Right of Way Opening and Restoration Rule \(ROWORR\)](#)**

The Right of Way Opening and Restoration Rule defines SDOT’s requirements for curb ramp installation and improvements when streets and/or sidewalks are altered or restored as a part of construction activities in the Seattle public right-of-way.

Projects should not be planned and executed in any way to avoid curb ramp improvement obligations by bypassing intersections or directional boring below the limits of the crosswalk.

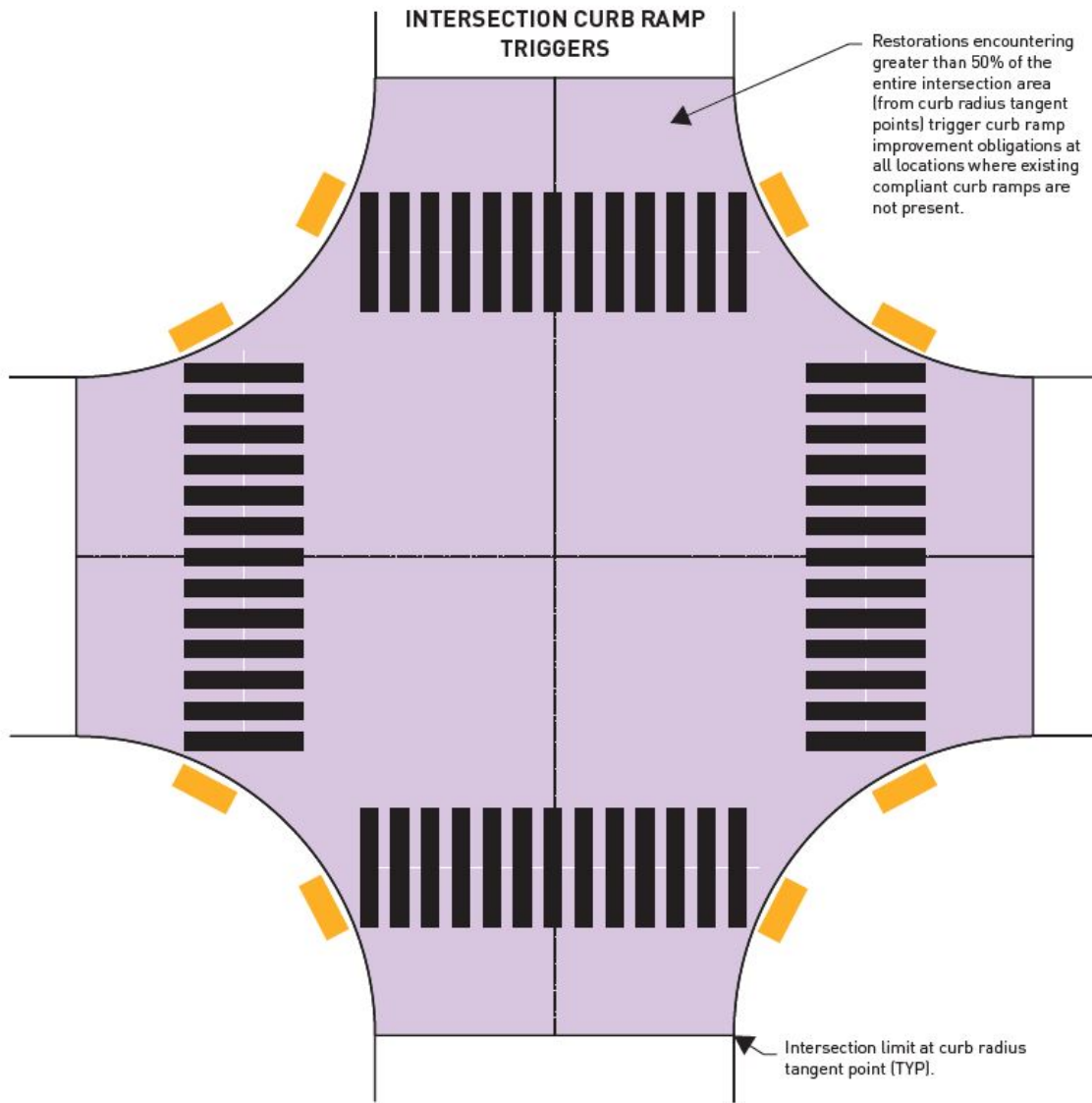
The following diagrams identify curb ramp obligations when crosswalks, intersections, and sidewalks are altered or restored. Refer to the ROWORR for additional information.



### Crosswalk Curb Ramp Triggers per ROWORR

#### **Supplemental Notes:**

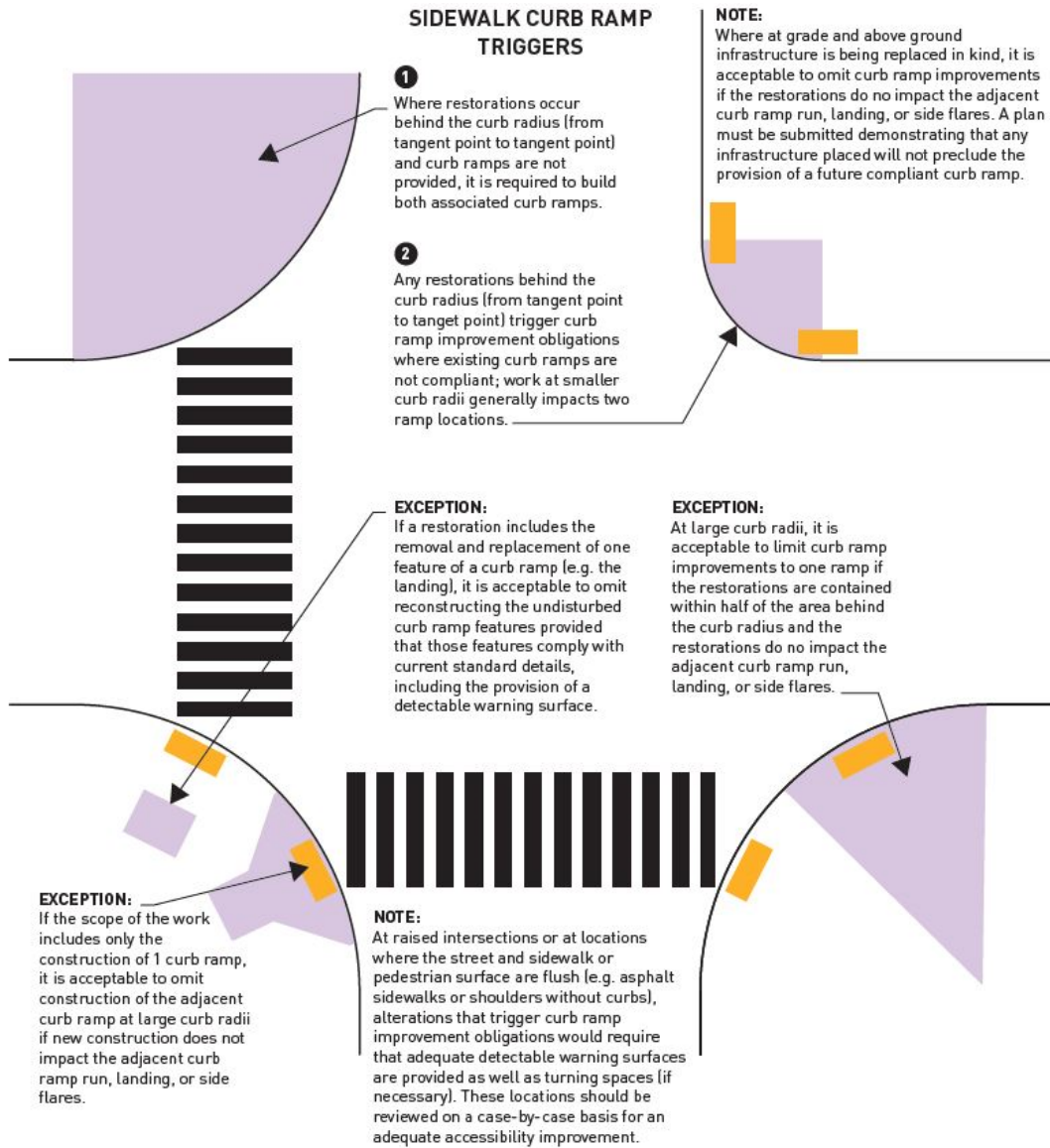
- Alterations or restorations within the legal or marked crosswalk trigger curb ramp obligations (new or reconstructed) on both ends of the associated crosswalk
- Installation of a curb ramp may trigger additional curb ramp obligations (refer to Sidewalk Curb Ramp Triggers per ROWORR)
- The 12' width exception applies to alteration or maintenance activities identified in this document
- The 12' width exception should not apply to modal transportation improvements; improvements for bicycle, transit, or freight needs should also include improvements for pedestrian use (i.e., curb ramps)
- Project scopes of work should not be planned to bypass crosswalks to avoid curb ramp obligations
- Questions or considerations for exemptions are to be directed to the SDOT ADA Coordinator, including atypical sidewalk or intersection geometry



### Intersection Curb Ramp Triggers per ROWORR

#### **Supplemental Notes:**

- Alterations or restorations encountering more than 50% of the intersection trigger curb ramp obligations throughout the intersection
- A repaving project, for example, that is planned for one roadway through the intersection will likely impact more than 50% of the intersection, triggering curb ramp obligations throughout the intersection
- Project scopes of work should not be planned to bypass the intersection to avoid curb ramp obligations
- Questions or considerations for exemptions are to be directed to the SDOT ADA Coordinator, including atypical sidewalk or intersection geometry



### Sidewalk Curb Ramp Triggers per ROWORR

**Supplemental Notes:**

- Alterations or restorations behind the curb radius generally trigger curb ramp obligations where ramps do not exist or where existing ramps do not comply with the current design standard
- Installation of a curb ramp may trigger additional curb ramp obligations at a corner as well as companion ramp requirements and subsequent ramps that they may trigger
- At corners where curb ramps exist, it may be possible to perform restorations without triggering reconstruction obligations for all existing curb ramps, provided that existing curb ramp features are not impacted
- Project scopes of work should not be planned to bypass existing curb ramps to avoid curb ramp obligations
- Questions or considerations for exemptions are to be directed to the SDOT ADA Coordinator, including atypical sidewalk or intersection geometry

**5) Seattle Municipal Code, 11.14.265 - Intersection**

**A.** "Intersection" means the area enclosed within the projection of lateral curbs, or if no curbs, then the projection of the lateral roadway boundaries of two (2) or more streets which join one another at an angle, whether or not such streets cross each other.

**B.** Where a highway includes two (2) roadways thirty (30) feet apart or more, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection. In the event such intersecting street also includes two (2) roadways thirty (30) feet or more apart then every crossing of two (2) roadways of such streets shall be regarded as a separate intersection.

**6) Revised Code of Washington**

**RCW 46.160 Crosswalk.** "Crosswalk means the portion of the roadway between the intersection area and a prolongation or connection of the farthest sidewalk line or in the event there are no sidewalks then between the intersection area and a line ten feet therefrom, except as modified by a marked crosswalk.

**RCW 47.04.010 Definitions.** (34) "Sidewalk." That property between the curb lines or the lateral lines of a roadway, as herein defined, and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a highway and dedicated to use by pedestrians.