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# ON-BOARDING RESOURCE FOR STATEWIDE BICYCLE & PEDESTRIAN COORDINATORS

Updated September 7, 2018

## PURPOSE

This quick reference guide is designed for bicycle and pedestrian coordinators working in State DOTs and FHWA Division Offices. It introduces relevant Federal agency contacts, funding sources, potential partners, and planning and design resources.

Federal Highway Administration,  
Office of Planning, Environment, and Realty,  
Bicycle and Pedestrian Program

# On-Boarding Resource for Statewide Bicycle & Pedestrian Coordinators

This resource was designed for State DOT Bicycle and Pedestrian Coordinators and the bicycle and pedestrian points of contact within FHWA Division Offices, but most of the information is relevant for any practitioner involved in planning and designing for active transportation. This resource should be made available to any newly hired statewide bicycle and pedestrian coordinator.

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## Share Calls and coordinator contact information

- State coordinator listserv archive/login: [lists.unc.edu](https://lists.unc.edu)
- Listserv contact: [brookshire@hsrc.unc.edu](mailto:brookshire@hsrc.unc.edu)
  - Information sharing calls are coordinated over the listserv and occur every-other month on odd-numbered months (starting January 2017). These calls are scheduled for the second Thursday from 1:00-2:30pm ET.
  - State coordinators have an annual meeting, typically held in conjunction with a conference like WalkBikePlaces or the APBP Professional Development Seminar (always with a conference call option). FHWA may issue a memo to division administrators that encourages participation in the annual meeting.
- [State Bicycle and Pedestrian Coordinator contacts](#)
- [FHWA Bicycle and Pedestrian Coordinator contacts](#)

## Federal agency contacts

- Federal Highway Administration (FHWA)
  - [Office of Planning, Environment, and Realty \(HEP\)](#): The Federal Highway Administration's Bicycle and Pedestrian Program promotes safe, comfortable, and convenient walking and bicycling for people of all ages and abilities. Supports pedestrian and bicycle transportation through funding, policy guidance, program management, and resource development.
    - Contact: [Gary Jensen](#), 202-366-2048
    - Transportation Alternatives contact: [Christopher Douwes](#), 202-366-5013
    - Safe Routes to School contact: [Wesley Blount](#), 202-366-0799
  - Office of Planning: Systems Planning & Analysis Team
    - Contact: [Brian Gardner](#), 202-366-4061
    - Contact: [Jeremy Raw](#), 202-366-0986
  - [Office of Safety](#): Develops projects, programs and materials for use in reducing pedestrian and bicyclist fatalities.
    - Contact: [Gabe Rousseau](#), 202-366-8044
    - Contact: [Tamara Redmon](#), 202-366-4077
  - [Office of Highway Policy Information](#): Provides accurate information products to inform the development and implementation of decisions, policies, legislation, programs, and performance goals, while constantly striving to improve the efficiency and effectiveness of data collection and analysis on travelers and the physical, operational and financial condition of our transportation system.
    - Contact: [Steven Jessberger](#), 202-366-5052
  - [Office of Infrastructure](#): Provides leadership, technical expertise, and program assistance to help sustain America's mobility in Management, Pavements, and Construction; Bridges and Structures; Program Administration; Transportation Performance Management.
    - Contact: [Elizabeth Hilton](#), 512-536-5970

- [Office of Operations](#): Provides national leadership for the management and operation of the surface transportation system. Includes the *Manual on Uniform Traffic Control Devices*.
  - Contact: [Dave Kirschner](#), 202-366-6054
- [Office of Safety Research and Development](#): The primary purpose of pedestrian and bicyclist research is to reduce injuries and fatalities by better understanding the causes of pedestrian/bicyclist fatalities, by identifying and evaluating potential safety improvement measures, to foster public awareness of pedestrian and bicycle safety matters, and to provide resources for use at the national, State and local levels.
  - Contact: [Ann Do](#), 202-493-3319
- [Resource Center](#): Provides training and technical services including for the [Pedestrian and Bicycle Focus States and Cities](#) program
  - Contact: [Peter Eun](#), 360-753-9551
- Americans with Disabilities Act (ADA)
  - Infrastructure-related questions: [Elizabeth Hilton](#), Geometric Design Engineer in FHWA Office of Infrastructure, 512-536-5970
  - Civil rights-related questions: [Candace Groudine](#), Policy and Regulatory Specialist in FHWA Office of Civil Rights, 202-366-4634
- National Highway Traffic Safety Administration (NHTSA)
 

NHTSA’s mission is to prevent traffic crashes through education, research, safety standards, and enforcement activity.

  - NHTSA Pedestrian and Bicycle sites:
    - [Behavioral Safety Research](#)
    - [Bicycle Safety](#)
    - [Pedestrian Safety](#)
  - Contacts:
    - [Kristie Johnson](#), Research Psychologist, Behavioral Research Division, OBSR, 202-366-2755
    - [Ruth Esteban-Muir](#), Safety Countermeasures Division, OSP, 202-366-2706
    - [Paula Bawer](#), Safety Countermeasures Division, OSP, 202-366-2692
  - [Fatality Analysis Reporting System](#) (FARS): FARS is a nationwide census providing NHTSA, Congress and the American public yearly data regarding fatal injuries suffered in motor vehicle traffic crashes.
- Federal Transit Administration (FTA)
  - [FTA Livability Resources](#)
  - [FTA Bicycles & Transit](#): Includes information on bikesharing, integrating bicycles with transit, and catchment areas
- United States Access Board
 

Independent federal agency whose primary mission is accessibility for people with disabilities.

  - [Streets and Sidewalks Page](#): New guidelines the Board is developing will cover access to public rights-of-way, including sidewalks, intersections, street crossings, and on-street parking. The Board is also addressing access to shared use paths providing off-road means of transportation and recreation.

## Pedestrian and bicycle Federal funding opportunities

[FHWA website](#) indicating potential eligibility for pedestrian and bicycle projects under U.S. Department of Transportation surface transportation funding programs.

Name	Description	Project Example Type (non-comprehensive)
<a href="#">TIGER Discretionary Grants</a>	Supports innovative projects, including multi-modal and multi-jurisdictional projects, which are difficult to fund through traditional federal programs.	Highway crossings
<a href="#">Congestion Mitigation and Air Quality Improvement (CMAQ) Program</a>	Support surface transportation projects and other related efforts that contribute air quality improvements and provide congestion relief.	Bicycle share programs (capital and equipment)
<a href="#">Highway Safety Improvement Program (HSIP)</a>	A statewide-coordinated safety plan that provides a comprehensive framework for reducing highway fatalities and serious injuries on all public roads.	Bike lanes
<a href="#">National Highway Performance Program (NHPP)</a>	Provides support for the construction of new facilities on the National Highway System (NHS)	Crosswalks
<a href="#">Surface Transportation Block Grant Program (STBG)</a>	Provides flexible funding that may be used by States and localities for ... pedestrian and bicycle infrastructure ...	Infrastructure
<a href="#">Transportation Alternatives (TA)</a>	Funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities such as historic preservation and vegetation management, and environmental mitigation related to stormwater and habitat connectivity; recreational trail projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former divided highways.	Off-road trails
<a href="#">Recreational Trails Program (RTP)</a>	Provides funds to the States to develop and maintain recreational trails and trail-related facilities for both nonmotorized and motorized recreational trail uses.	Bridge crossings
<a href="#">Statewide Planning and Research (SPR)</a>	Funds to be used for planning purposes including mapping, trainings, and technical assessments.	Bicycle and pedestrian system planning training

**Funding for professional development** – ask around within your agency to find out about the State-specific process to apply for Federal Technical Training Funds for travel to trainings, conferences, and/or meetings.

## Resources

### Planning, Design, and Safety

PBIC’s [Design Resource Index](#) identifies the specific location of information in key national design manuals for various pedestrian and bicycle design treatments. It consists of three separate matrices: On-Street Bicycle Facilities, Shared Use Paths, and Pedestrian Facilities.

Resource	Description
<a href="#">Manual on Uniform Traffic Control Devices (MUTCD)</a> (Your State may have a State MUTCD or a supplement to the national MUTCD)	Part 9 covers bicycle signs and striping Part 7 covers traffic control around schools Part 6 on temporary traffic control covers pedestrian and worker safety
<a href="#">Guide for the Planning, Design, and Operation of Pedestrian Facilities, 2004, (AASHTO Pedestrian Guide)</a>	Provides guidelines for the planning, design, operation, and maintenance of pedestrian facilities, including signals and signing.
<a href="#">Guide for the Development of Bicycle Facilities 2012, Fourth Edition (AASHTO Bike Guide)</a>	Provides detailed planning and design guidelines on how to accommodate bicycle travel and operation in most riding environments.
<a href="#">Proposed Rights-of-Way Guidelines</a>	The U.S. Access Board is developing guidelines for public rights-of-way that will address various issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain. These guidelines are sometime referred to as PROWAG.
<a href="#">Separated Bike Lane Planning and Design Guide (FHWA)</a>	Outlines planning considerations and design options for separated bike lanes (also known as protected bike lanes or cycle tracks). Two-part webinar series about the guide available: <a href="http://www.pedbikeinfo.org/training/webinars_PBIC_LC_060716.cfm">http://www.pedbikeinfo.org/training/webinars_PBIC_LC_060716.cfm</a>
National Association of City Transportation Officials (NACTO) guides	<a href="#">Urban Street Design Guide</a> , <a href="#">Urban Bikeway Design Guide</a> , <a href="#">Transit Street Design Guide</a>
FHWA Planning and Design Resources and Guides <ul style="list-style-type: none"> <li>• A <a href="#">suite of tools</a> produced by FHWA to support the development of high-quality pedestrian and bicycle networks</li> </ul>	<a href="#">Case Studies in Realizing Co-Benefits of Multimodal Roadway Design and Gray and Green Infrastructure</a> <a href="#">Guidebook for Measuring Multimodal Network Connectivity</a> <a href="#">Accessible Shared Streets: Notable Practices and Considerations for Accommodating Pedestrians with Visual Disabilities</a> <a href="#">Small Town and Rural Multimodal Networks</a> <a href="#">Achieving Multimodal Networks: Applying Design Flexibility and Reducing Conflicts</a> <a href="#">Incorporating On-Road Bicycle Networks into Resurfacing Projects</a> <a href="#">Pursuing Equity in Pedestrian and Bicycle Planning</a>

	<a href="#">Guidebook for Developing Pedestrian and Bicycle Performance Measures</a> Case Studies in Delivering Safe, Comfortable and Connected Pedestrian and Bicycle Networks: <a href="#">Volume 1</a> and <a href="#">Volume 2</a> <a href="#">Bike Network Mapping Idea Book</a>
FHWA <a href="#">Pedestrian</a> and <a href="#">Bicycle</a> Road Safety Audits	Road Safety Audit (RSA) is the formal safety performance examination of an existing or future road or intersection by an independent, multidisciplinary team. It qualitatively estimates and reports on potential road safety issues and identifies opportunities for improvements in safety for all road users.
<a href="#">Pedsafe and Bikesafe guides and countermeasures selection systems</a> (FHWA)	These web-based guides include information about analysis and implementation, while the interactive countermeasure selection tool provides suggestions based on user inputs.
<a href="#">Pedestrian and Bicycle Crash Analysis Tool</a> (PBCAT)	
FHWA <a href="#">Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations</a>	Full guide (and pocket version) provides guidance to agencies, including best practices for each step involved in selecting countermeasures for uncontrolled locations.

Pedestrian and bicycle counting

Resource	Description
<a href="#">Traffic Monitoring Guide (TMG), Chapter 4</a> (FHWA)	This chapter provides basic guidance intended to improve the state-of-the-practice in non-motorized traffic volume monitoring
<a href="#">Coding Nonmotorized Station Location Information in the 2016 Traffic Monitoring Guide Format</a> (FHWA)	The purpose of this guide is to make it easier for users to understand how the Traffic Monitoring Guide (TMG) format describes the information that should be collected when counting multimodal users, as well as how to format that information correctly.
NCHRP <a href="#">Guidebook Pedestrian and Bicycle Volume Data Collection</a> and <a href="#">Background Report</a>	Describes methods and technologies for counting pedestrians and bicyclists, offers guidance on developing a nonmotorized count program, gives suggestions on selecting appropriate counting methods and technologies, and provides examples of how organizations have used nonmotorized count data.
<a href="#">Bicycle-Pedestrian Count Technology Pilot Project</a> (FHWA)	The Bicycle-Pedestrian Count Technology Pilot Project identified organizational and technical capacity needs at MPOs, developed resources for addressing these needs, and transferred lessons learned across the country.

## State design guides and plans

In addition to Federal guidance, each State may have its own comprehensive plans and design guides that are specific to bicycle and pedestrian transportation. Table below includes select examples:

Resource	Description
<a href="#">MassDOT Separated Bike Lane Planning &amp; Design Guide</a>	This guide may be used by project planners and designers as a resource for considering, evaluating and designing separated bike lanes as part of a complete streets approach for providing safe and comfortable accommodations for all roadway users.
<a href="#">"Toward an Active California," the State Bicycle and Pedestrian Plan</a>	California's first statewide plan that lays out the policies and actions that Caltrans and its partner agencies will take to achieve the department's ambitious statewide goals to double walking and triple bicycling trips by 2020.
<a href="#">Colorado Downtown Streets</a>	This tool for communities, planners, and engineers was a collaboration of the State's DOT, Dept. of Local Affairs, and Dept. of Public Health and the Environment.
Minnesota <a href="#">Bicycle Systems Plan</a> and <a href="#">Minnesota Walks</a>	The Bicycle System Plan represents MnDOT's vision and goals for bicycle transportation, implementation strategies, and performance measures to evaluate progress toward achieving this vision. Minnesota Walks is a collaboration between the DOT and Dept. of Health.

**Strategic Highway Safety Plan (SHSP)**—a statewide-coordinated plan providing comprehensive framework for reducing highway fatalities and serious injuries on all public roads. The lead agency is the State Department of Transportation, which works collaboratively with the State Highway Safety Office and other local, State, Federal, Tribal, and private sector safety stakeholders. The SHSP establishes statewide goals, objectives, and key emphasis areas and integrates engineering, education, enforcement, and emergency medical services (EMS).

**Highway Safety Plan (HSP)**—each State Highway Safety Office (SHSO) is responsible for submitting an annual HSP and annual reports to NHTSA. The HSP must be data-driven and set quantifiable, annual performance targets for 15 performance measures, at least three of which need to be coordinated with the SHSP (traffic fatalities, serious injuries in traffic crashes, and fatalities/vehicle miles traveled). The plan must include strategies that will allow the State to meet its performance targets and must describe its successes in meeting its performance targets in the previous fiscal year. Note: "Bicycle facilities" was added as a core outcome measure in the FY 2015 HSP. The State Pedestrian and Bicycle Coordinator should be involved in developing the HSP since the coordinator will be involved in some aspect of plan implementation. In some States, the coordinator may submit an application for a highway safety grant or serve on the grant review committee.

## Other Relevant Resources

- [Advancing Pedestrian and Bicyclist Safety: A Primer for Highway Safety Professionals](#) (NHTSA, 2016)  
A reference for integrated and improved pedestrian and bicycle safety, summarizing the most promising infrastructure and behavioral programs addressing specific safety problems and highlighting how to implement these approaches.
- [Noteworthy Local Polices That Support Safe and Complete Pedestrian and Bicycle Networks](#) (FHWA, 2016)  
Provides local and state agencies with tools to develop policies that support the development of safe and complete bicycle and pedestrian networks for users of all ages and abilities.
- [Strategic Agenda for Bicycle and Pedestrian Transportation](#) (FHWA, 2016)  
Framework to guide FHWA pedestrian and bicycle initiatives and investments during the five-year period from Federal Fiscal Year (FY) 2016-17 to FY 2020-21.
- [Synthesis of Methods for Estimating Pedestrian and Bicyclist Exposure to Risk at Areawide Levels and on Specific Transportation Facilities](#) (FHWA, 2017)  
This report summarizes the variety of methods used to estimate and evaluate exposure to risk in pedestrian and bicyclist safety analyses.
- [Incorporating Qualitative Data in the Planning Process: Improving Project Delivery and Outcomes](#) (FHWA, 2017)  
This report highlights emerging tools, techniques, and resources for gathering qualitative public and stakeholder input to inform the planning process, improve project outcomes, and contribute to streamlining project delivery.

## Key Contacts and Partners

Worksheet to identify key partners in your DOT as well as external partners

<b>Title/Role (listed to give examples, all may not be relevant)</b>	<b>Name</b>	<b>Contact Information</b>	<b>Synergy</b>
<i>Pavement management</i>			
<i>Bridge designers</i>			
<i>Planning</i>			
<i>Traffic operations</i>			
<i>Safety (designers and education/outreach)</i>			
<i>Governor's Highway Safety Program</i>			
<i>Recreation and rail trails &amp; recreational trails program manager (if different)</i>			<i>rail property management</i>
<i>Key staff at district offices</i>			
<i>Attorney General office</i>			<i>Tort and liability – useful for interpretations</i>
<i>Design standards lead</i>			
<i>Department of Economic Development</i>			
<i>Department of Environment and Natural Resources</i>			
<i>Department of Commerce</i>			<i>Economic development data and tourism</i>
<i>Department of Health</i>			<i>Public health initiatives</i>
<i>Statewide advocacy groups</i>			

## National Committees

- [National Committee on Uniform Traffic Control Devices \(NCUTCD\)](#): An organization whose purpose is to assist in the development of standards, guides and warrants for traffic control devices and practices used to regulate, warn and guide traffic on streets and highways. The NCUTCD recommends to the Federal Highway Administration (FHWA) and to other appropriate agencies proposed revisions and interpretations to the Manual on Uniform Traffic Control Devices (MUTCD) and other accepted national standards.
- [AASHTO Council on Active Transportation](#): Their object is to advance the state of the practice in bicycle and pedestrian planning, design, traffic engineering, construction, operation, maintenance, and safety within the AASHTO member departments and nationally.
  - State representatives:
    - Milly Ortiz, Iowa
    - Barb Chamberlain, Washington
    - Ken Brubaker, Colorado
- [Transportation Research Board \(TRB\) Pedestrian Committee](#): The TRB Pedestrian Committee (TRB committee number ANF10) is concerned with research on pedestrians and pedestrian facilities that will provide safe, comfortable, and efficient walking environments along sidewalks, along and across roadways, and connecting to other modes of transportation. The Committee addresses the planning, design, operation, and maintenance of roadways as they affect use of public rights-of-way by pedestrians.
- [Transportation Research Board \(TRB\) Bicycle Transportation Committee](#): The TRB Bicycle Transportation Committee (TRB committee number ANF20) is concerned with all aspects of bicycling, bicyclists, behaviors of other road users interacting with bicyclists, as well as policies and criteria for facilities to assure safe, secure, comfortable, convenient, and efficient travel for bicyclists. The committee aims to integrate bicycling into multimodal transportation systems, and broader transportation and land use planning, policy, and engineering.

## Training and Capacity Building

- [National Highway Institute trainings](#)
- [Local Technical Assistance Program \(LTAP\) and Tribal Technical Assistance Program \(TTAP\)](#)
- [Pedestrian and Bicycle Information Center Webinars](#)
- [University course materials](#)
- [NACTO trainings and workshops](#)
- [Portland State Initiative for Bicycle & Pedestrian Innovation Webinars and Workshops](#)
- [Association of Pedestrian and Bicycle Professionals webinars, conferences, and trainings](#)

## Appendix

1. [FHWA Memorandum: Bicycle and Pedestrian Facility Design Flexibility](#)  
Provides support for taking a flexible approach to bicycle and pedestrian facility design.
2. [Questions and Answers about Design Flexibility for Bicycle and Pedestrian Facilities](#)
3. [Bicycle and Pedestrian Funding, Design, and Environmental Review: Addressing Common Misconceptions](#)  
Addresses these common misconceptions and distinguishes between Federal standards and State and local practice. Where possible, links identify resources that provide more detail on the topic. This document focuses on three policy areas: Funding, Design, and Environmental Review.
4. [Pedestrian and Bicycle Funding Opportunities \(USDOT Transit, Highway, and Safety Funds\)](#)  
Table indicates *potential* eligibility for pedestrian and bicycle projects under U.S. Department of Transportation surface transportation funding programs.
5. [USDOT Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations](#)
6. [USDOT/Department of Justice Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing](#)
7. [Questions and Answers about USDOT/Department of Justice Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing](#)
8. [FHWA Memorandum: Action – Designation of Bicycle and Pedestrian Coordinators within State Departments of Transportation](#)

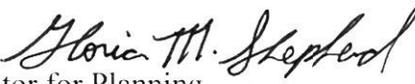


U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# Memorandum

SENT BY ELECTRONIC MAIL

Subject: **GUIDANCE:** Bicycle and Pedestrian Facility Design Flexibility Date: August 20, 2013

From: Gloria M. Shepherd   
Associate Administrator for Planning,  
Environment and Realty

In Reply Refer To:  
HEPH-10

Walter C. (Butch) Waidelich, Jr.   
Associate Administrator for Infrastructure

Jeffrey A. Lindley   
Associate Administrator for Operations

Tony T. Furst   
Associate Administrator for Safety

To: Division Administrators  
cc: Directors of Field Services

This memorandum expresses the Federal Highway Administration's (FHWA) support for taking a flexible approach to bicycle and pedestrian facility design. The American Association of State Highway and Transportation Officials (AASHTO) bicycle and pedestrian design guides are the primary national resources for planning, designing, and operating bicycle and pedestrian facilities. The National Association of City Transportation Officials (NACTO) [Urban Bikeway Design Guide](#) and the Institute of Transportation Engineers (ITE) [Designing Urban Walkable Thoroughfares](#) guide builds upon the flexibilities provided in the AASHTO guides, which can help communities plan and design safe and convenient facilities for pedestrian and bicyclists. FHWA supports the use of these resources to further develop nonmotorized transportation networks, particularly in urban areas.

## AASHTO Guides

AASHTO publishes two guides that address pedestrian and bicycle facilities:

- [Guide for the Planning, Design, and Operation of Pedestrian Facilities](#), July 2004, (AASHTO Pedestrian Guide) provides guidelines for the planning, design, operation, and maintenance of pedestrian facilities, including signals and signing. The guide recommends methods for accommodating pedestrians, which vary among roadway and facility types, and addresses the effects of land use planning and site design on pedestrian mobility.
- [Guide for the Development of Bicycle Facilities 2012, Fourth Edition](#) (AASHTO Bike Guide) provides detailed planning and design guidelines on how to accommodate bicycle travel and operation in most riding environments. It covers the planning, design, operation,

maintenance, and safety of on-road facilities, shared use paths, and parking facilities. Flexibility is provided through ranges in design values to encourage facilities that are sensitive to local context and incorporate the needs of bicyclists, pedestrians, and motorists.

## **NACTO Guide**

NACTO first released the [Urban Bikeway Design Guide](#) (NACTO Guide) in 2010 to address more recently developed bicycle design treatments and techniques. It provides options that can help create “complete streets” that better accommodate bicyclists. While not directly referenced in the AASHTO Bike Guide, many of the treatments in the NACTO Guide are compatible with the AASHTO Bike Guide and demonstrate new and innovative solutions for the varied urban settings across the country.

The vast majority of treatments illustrated in the NACTO Guide are either allowed or not precluded by the Manual on Uniform Traffic Control Devices (MUTCD). In addition, non-compliant traffic control devices may be piloted through the MUTCD experimentation process. That process is described in [Section 1A.10](#) of the MUTCD and a table on the FHWA's bicycle and pedestrian design guidance Web page is regularly updated ([FHWA Bicycle and Pedestrian Design Guidance](#)), and explains what bicycle facilities, signs, and markings are allowed in accordance with the MUTCD. Other elements of the NACTO Guide's new and revised provisions will be considered in the rulemaking cycle for the next edition of the MUTCD.

## **ITE Guide**

In 2010, FHWA supported production of the ITE Guide [Designing Walkable Urban Thoroughfares: A Context Sensitive Approach](#). This guide is useful in gaining an understanding of the flexibility that is inherent in the AASHTO “Green Book,” [A Policy on Geometric Design of Highways and Streets](#). The chapters emphasize thoroughfares in “walkable communities” – compact, pedestrian-scaled villages, neighborhoods, town centers, urban centers, urban cores and other areas where walking, bicycling and transit are encouraged. It describes the relationship, compatibility and trade-offs that may be appropriate when balancing the needs of all users, adjoining land uses, environment and community interests when making decisions in the project development process.

## **Summary**

FHWA encourages agencies to appropriately use these guides and other resources to help fulfill the aims of the 2010 [US DOT Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations](#) – “...DOT encourages transportation agencies to go beyond the minimum requirements, and proactively provide convenient, safe, and context-sensitive facilities that foster increased use by bicyclists and pedestrians of all ages and abilities, and utilize universal design characteristics when appropriate.”

Accompanying this memo are the latest versions of the: 1) AASHTO Bike Guide, 2) NACTO Bike Guide; and 3) the ITE [Designing Walkable Urban Thoroughfares](#) Guide.

The attachments provide two examples that demonstrate the use of treatments illustrated in the NACTO Guide (i.e., buffered bike lanes and green colored pavement for bicycle lanes) by State or local DOTs, and a list of FHWA staff that can help with questions about pedestrian and bicycle design issues.

### *Attachments*

## Attachment 1 – Example 1 & 2

### Example 1: Michigan DOT's Buffered Bike Lanes

One of the innovative bicycle facilities discussed in the NACTO *Urban Bikeway Design Guide* is buffered bike lanes. Buffered bike lanes create more space between motor vehicles and bicycles by delineating extra space between the bike lane and parked cars and/or a motor vehicle lane. Buffered bike lanes can be implemented if the pavement markings and channelizing devices are compliant with the MUTCD (see [Bicycle Facilities and the Manual on Uniform Traffic Control Devices](#)). Michigan DOT developed a video that describes their efforts to install buffered bike lanes in Oakland County (see [Northwestern Highway Bicycle Lane: A Safer Place to Ride](#)). Michigan DOT also developed a brochure that explains buffered bike lanes to the public (see [What Every Michigan Driver Should Know About Bike Lanes](#)).

### Example 2: Missoula's Colored Bike Lanes

MUTCD experimentation is a methodology that analyzes innovative traffic control devices through field deployment for the purpose of testing or evaluating its application or manner of use. An approved request to experiment numbered and titled as Official Ruling “[3\(09\)-3\(E\) – Colored Bike Lanes – Missoula, MT](#)” illustrates a successful experiment. The City of Missoula submitted a request to experiment in January 2010 in accordance with all Items in Paragraph 11 of [Section 1A.10](#) in the 2009 MUTCD.

The experiment was conducted for one year and revealed that approximately 70 percent of motorists noticed the color conspicuity enhancement to the bike lane. This was interpreted as an increased awareness by motorists of the potential presence of bicyclists at intersections where those motorists would be making a right turn.

The City also reported ancillary findings that were not anticipated in the original Evaluation Plan of the request to experiment. This included psychological discomfort of the cyclist with the lateral locations of the colored bicycle lane with respect to door zones in parallel parking corridors. In addition, the experiment revealed an unintended design weakness where colored bike lanes that achieve high compliance of little or no occupation of motorized vehicles can also be attractive to pedestrians who wish to use them to facilitate their travel in lieu of crowded sidewalks or to patronize parking meters. For these reasons, a successful experiment can reveal unanticipated findings, further demonstrating the value of official experimentation.

This particular experiment provided two conclusions that supported FHWA's decision to issue [Interim Approval](#) for green colored pavement for bicycle lanes in April 2011.

For more information see <http://mutcd.fhwa.dot.gov/reqdetails.asp?id=1135>.



## Attachment 2

**FHWA Bicycle and Pedestrian Staff Resources**

## Human Environment — Livability and Bicycle and Pedestrian Programs

- Shana Baker, Livability Team Leader, 202-366-4649, shana.baker@dot.gov: Livability, Context Sensitive Solutions
- Christopher Douwes, Trails and Enhancements Program Manager 202-366-5013, christopher.douwes@dot.gov: Transportation Alternatives Program/Enhancement Activities: Recreational Trails Program related activities; Bicycle and pedestrian policy and guidance
- Daniel Goodman, Transportation Specialist, 202-366-9064, daniel.goodman@dot.gov: Bicycle and pedestrian activities; Livability
- Wesley Blount, Program Manager, 202-366-0799, wesley.blount@dot.gov: Safe Routes to School, Discretionary programs

## Planning

- Brian Gardner, 202-366-4061, brian.gardner@dot.gov: Modeling
- Jeremy Raw, 202-366-0986, jeremy.raw@dot.gov: Modeling
- Harlan Miller, 202-366-0847, harlan.miller@dot.gov: Planning Oversight
- Kenneth Petty, 202-366-6654 kenneth.petty@dot.gov: Planning Capacity Building

## Policy

- Steven Jessberger, 202-366-5052, steven.jessberger@dot.gov, Traffic Monitoring Guide

## Infrastructure — Design (including accessible design)

- Michael Matzke, 202-366-4658, michael.matzke@dot.gov

## Resource Center— Design (including accessible design)

- Brooke Struve, Safety and Design Team, 720-963-3270, brooke.struve@dot.gov
- Peter Eun, Safety and Design Team, 360-753-9551, peter.eun@dot.gov

## Operations — Manual on Uniform Traffic Control Devices

- Kevin Dunn, Transportation Specialist, 202-366-6054, kevin.dunn@dot.gov: MUTCD Team

## Pedestrian and Bicycle Safety

- Gabe Rousseau, Safety Operations Team Leader, 202-366-8044, gabe.rousseau@dot.gov: Bicycle and pedestrian safety programs
- Tamara Redmon, Pedestrian Safety Program Manager, 202-366-4077, tamara.redmon@dot.gov: Pedestrian safety

## Pedestrian and Bicyclist Safety Research

- Ann Do, 202-493-3319, ann.do@dot.gov
- Jim Shurbutt, 202-493-3420, jimmy.shurbutt@dot.gov

## Civil Rights — Accessibility Policy and Compliance

- Patrick Gomez, Resource Center Civil Rights Team, 720-963-3269, patrick.gomez@dot.gov
- Candace Groudine, Director of External Civil Rights Programs, 202-366-4634, candace.groudine@dot.gov

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# Bicycle and Pedestrian Program

Legislation

Funding

Guidance

Resources

**State Coordinator and FHWA Division Coordinator**

Each State has a [Bicycle and Pedestrian Coordinator](#), and each [FHWA Division office](#) has a point of contact.

**FHWA Headquarters Contact**

For more information, please contact [Dan Goodman](#), 202-366-9064.

[FHWA](#) → [Environment](#) → [Bicycle and Pedestrian Program](#) → [Guidance](#)

## Questions & Answers about Design Flexibility for Pedestrian and Bicycle Facilities

Last Updated: July 25, 2014

The Federal Highway Administration's (FHWA) Offices of Planning, Environment, and Realty; Infrastructure; Safety; and Operations jointly developed the following Qs & As as a follow-up to FHWA's Bicycle and Pedestrian Facility Design Flexibility [memorandum](#) published on August 20, 2013. The questions and answers are intended to clarify issues regarding design flexibility. FHWA does not intend to release separate design flexibility memoranda addressing individual guides or applications of flexibility. The August 20, 2013 memorandum reflects our support for flexibility in the design of pedestrian and bicycle facilities in order to encourage the development of connected and context-sensitive pedestrian and bicycle networks.

Questions about individual guides or applications and their relationship to the concept of design flexibility will be addressed as Qs & As in collaboration between FHWA's Offices of Planning, Environment, and Realty; Infrastructure; Safety; and Operations. The Qs & As will be updated on an as needed basis.

**The National Association of City Transportation Officials (NACTO) *Urban Street Design Guide***

- 1. What is FHWA's perspective on NACTO's *Urban Street Design Guide*?**  
 NACTO's *Urban Street Design Guide* provides sample scenarios that build on the flexibilities in the *AASHTO Policy on Geometric Design of Highways and Streets*, *Guide for the Planning, Design, and Operation of Pedestrian Facilities* and *Guide for the Development of Bicycle Facilities*. The *Urban Street Design Guide* can be used to inform the planning and design process in conjunction with these other resources. FHWA distributed copies of the *Urban Street Design Guide* to all of our Division and Federal Lands Highway Offices in fall 2013. It can serve as an additional resource as communities plan and design facilities for all modes of travel. FHWA supports the use of the *Urban Street Design Guide* in conjunction with the other resources cited above in the process of developing nonmotorized transportation networks.
- 2. Was the *Urban Street Design Guide* referenced in the August 20, 2013 design flexibility memorandum?**  
 No. The *Urban Street Design Guide* was not referenced because it had not yet been published.
- 3. Does the *Urban Street Design Guide* supersede other existing national standards or guidelines?**  
 No. The *Urban Street Design Guide* can serve as one of many sources to inform the planning and design process, but it does not supersede other existing national standards or guidelines. The *Urban Street Design Guide* can be used in conjunction with other design resources; however, there are many design details not

addressed by this Guide and it is not fully consistent with other guidance. For example, in the area of accessible design, the 2010 Americans with Disabilities Act (ADA) Standards and the Public Rights-Of-Way Accessibility Guidelines (PROWAG) are the primary source of design and construction details to ensure compliance with the ADA. The *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD) is the national standard for traffic control devices to promote highway safety and efficiency on the Nation's streets and highways as required by Federal regulation.

4. **Will FHWA revise the Qs & As as the *Urban Street Design Guide* is updated?**  
Yes, the Qs & As will be revised, as needed.

Updated: 7/25/2014

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# Bicycle and Pedestrian Funding, Design, and Environmental Review: Addressing Common Misconceptions

August 20, 2015

## Introduction

The U.S. Department of Transportation (DOT) has been working to address nonmotorized safety issues nationwide and help communities create safer, better-connected bicycling and walking networks as part of the Department's [Safer People, Safer Streets Initiative](#).

Since launching the Safer People, Safer Streets Initiative in 2014, DOT has engaged safety experts, existing and new stakeholders, local officials, and the public on a range of targeted strategies to encourage safety for bicyclists and pedestrians on and around our streets, including bus stops, transit stations, and other multimodal connections. Through these discussions, a number of common misconceptions have been raised about the use of Federal funding, street design, and the Environmental Review process that can cause confusion and result in project delay.

The information below addresses these common misconceptions and distinguishes between Federal standards and State and local practice. Where possible, links identify resources that provide more detail on the topic. This document focuses on three policy areas: Funding, Design, and Environmental Review.

### **Funding Misconceptions**

#### **1. The Transportation Alternatives Program (TAP) is the only Federal funding source for pedestrian and bicycle projects.**

This is false. While TAP is a popular source of funding for bicycle and pedestrian infrastructure, pedestrian and bicycle projects are eligible for many programs through the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). At FHWA, pedestrian and bicycle projects are eligible for funding through the Congestion Mitigation and Air Quality Improvement (CMAQ) Program, Surface Transportation Program (STP), Highway Safety Improvement Program (HSIP), National Highway Performance Program (NHPP), Federal Lands and Tribal Transportation Programs (FLTTP), and TAP. The FTA funding may also be available through Capital Funds and Associated Transit Improvement.

Each of these programs has different requirements, so to be eligible, the pedestrian and bicycle project must meet the program's requirements in order to receive funding. For example, transit funds may be used to improve bike lanes and sidewalks as long as they provide direct access to transit; CMAQ funds must be used for projects that benefit air quality; HSIP projects must be consistent with the State Strategic Highway Safety Plan and address a highway safety problem; NHPP-funded projects must benefit National Highway System (NHS) corridors; and FLTTP funds could be used for bicycle and pedestrian accommodations that provide access to or within Federal or tribal lands. Often bicycle and pedestrian elements are included in much larger roadway or station-area projects that are funded through each of these programs. For example,

pedestrian and bicycle facilities may be included on rehabilitated, reconstructed, or new bridge structures to improve the network. The FHWA division offices can assist in determining options for using multiple funding sources to fund one project.

Funding is also available for non-infrastructure projects. For instance, the National Highway Traffic Safety Administration (NHTSA) provides funding for behavioral safety aspects, education, and enforcement, in coordination with the State's highway safety office.

More information:

Bicycle and Pedestrian Funding Opportunities

[www.fhwa.dot.gov/environment/bicycle\\_pedestrian/funding/funding\\_opportunities.cfm](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.cfm)

Federal-Aid Highway Program Funding for Pedestrian and Bicycle Facilities and Programs

[http://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/funding/bipedfund.cfm](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/bipedfund.cfm)

FTA Bicycles and Transit Information

[http://www.fta.dot.gov/13747\\_14399.html](http://www.fta.dot.gov/13747_14399.html)

Final Policy Statement on Eligibility of Pedestrian and Bicycle Improvements under Federal Transit Law

<https://www.federalregister.gov/articles/2011/08/19/2011-21273/final-policy-statement-on-the-eligibility-of-pedestrian-and-bicycle-improvements-under-federal>

## **2. Federal transportation funds cannot be used to enhance the local roadway network.**

This is false. The FHWA guidelines allow NHS capacity and safety needs to be addressed through a mix of on-system and parallel system network streets. A portion of the local network is part of the Federal-aid highway system. All other roads that have a functional classification higher than local road or rural minor collector are eligible for Federal-aid funding through STP. Projects on local roads and rural minor collectors may be eligible in some cases. Furthermore, STP, TAP, and HSIP funds may be used for bicycle and pedestrian projects along any public road or trail, without any location restriction.

More information:

STP Eligibility

<http://www.fhwa.dot.gov/map21/factsheets/stp.cfm>

Functional Classification

[http://www.fhwa.dot.gov/planning/processes/statewide/related/highway\\_functional\\_classifications/](http://www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/)

STP Guidance

<http://www.fhwa.dot.gov/map21/guidance/guidestprev.cfm>, see Eligibility.

TAP Guidance

<http://www.fhwa.dot.gov/map21/guidance/guidetap.cfm>, see Eligibility.

HSIP Guidance

<http://www.fhwa.dot.gov/map21/guidance/guidehsip.cfm>

### **3. Separated bike lanes cannot be built with Federal funds.**

This is false. Federal funds can be used to plan and build separated bike lanes, which can include cycle tracks and protected bike lanes. The FHWA recently published a *Separated Bike Lane Planning and Design Guide*, which includes planning considerations and design options for separated bike lanes. In addition, separated bike lanes are included in the [Bicycle and Pedestrian Funding Opportunities: US Department of Transportation, Federal Transit, and Federal Highway Table](#).

More information:

FHWA *Separated Bike Lane Planning and Design Guide*

[http://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/publications/separated\\_bikelane\\_pdg/page00.cfm](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/separated_bikelane_pdg/page00.cfm)

### **4. Federal funds can't be used for road diets.**

This is false. Federal funds may be used for road diets, which are generally described as removing vehicle lanes from a roadway and reallocating the extra space for other uses or traveling modes, such as parking, sidewalks, bicycle lanes, transit use, turn lanes, medians, or pedestrian refuge islands. The FHWA supports consideration of road diets or rightsizing when applied at the proper location and has created a [webpage](#) to promote the use of this technique. Road diets can offer significant safety benefits to a community (20-60% reduction in crashes is common) and are one of FHWA's [Proven Safety Countermeasures](#) being promoted through the FHWA [Every Day Counts](#) 3 Initiative. Additionally, in many applications, they are part of city and regionally approved pedestrian and bicycle master plans, and community comprehensive master plans. Localities across the nation are using this low-cost safety countermeasure to improve safety, operations, and livability in their communities.

More information:

FHWA Office of Safety Road Diet

[http://safety.fhwa.dot.gov/road\\_diets](http://safety.fhwa.dot.gov/road_diets)

### **5. Nonmotorized projects cannot compete effectively for CMAQ funding.**

This is false. States have funded more than \$1.5 billion in bicycle and pedestrian accommodations with CMAQ Program funds since 1993. The [CMAQ Program](#) is intended to be a flexible funding source to State and local governments for transportation projects and programs to help meet the requirements of the Clean Air Act. Funding is available to reduce congestion and improve air quality for areas that do not meet the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter (nonattainment areas) and for former

nonattainment areas that are now in compliance (maintenance areas). Funds may be used for transportation projects likely to contribute to the attainment or maintenance of a national ambient air quality standard, with a high level of effectiveness in reducing air pollution. The CMAQ funding is apportioned to the States to support projects that meet specific eligibility criteria. Some locations give preference to CMAQ eligible quality of life projects, such as nonmotorized transportation projects, as part of their CMAQ funding criteria. See for example the Merced County Association of Governments' Goals and Procedures for Programming CMAQ Funds: <http://www.mcagov.org/DocumentCenter/View/188>.

More information:

FHWA CMAQ Program

[http://www.fhwa.dot.gov/environment/air\\_quality/cmaq/](http://www.fhwa.dot.gov/environment/air_quality/cmaq/)

### **Design Misconceptions**

#### **6. The only design standard that can be used on Federal-aid highway projects is the AASHTO *A Policy on Geometric Design of Highways and Streets* (Green Book).**

This is false. The FHWA adopted the American Association of State Highway and Transportation Officials (AASHTO) Green Book as the design standard for projects on the NHS, other than projects on the Interstate highway system, regardless of funding source (23 CFR 625). States may adopt their own standards for non-NHS projects (23 CFR 625.3(a)(2)). The Green Book provides flexibility in design. When a Green Book standard applies but an element of the design is outside the Green Book parameters, a design exception may be considered in accordance with 23 CFR 625.3(f).

Part 9 of the *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD) is dedicated to traffic control on bicycle facilities. Compliance with the MUTCD on facilities open to public travel is required regardless of funding source, in accordance with 23 CFR 655. In addition to the flexibility the MUTCD provides through Guidance and Option provisions, the MUTCD also contains a mechanism for experimenting with novel traffic control devices (Section 1A.10). Note that some of the traffic control treatments shown in the external resources referenced herein might still be subject to the experimentation process under the MUTCD.

The FHWA's 2013 Bicycle and Pedestrian Design Flexibility Memo supports a flexible approach to the planning and design of pedestrian and bicycle facilities. This memo indicates that FHWA supports the use of additional resources that build off the flexibilities provided in the AASHTO *Guide for the Planning, Design, and Operation of Pedestrian Facilities* and the *Guide for the Development of Bicycle Facilities*, as well as the policy based *Green Book*. These resources include the National Association of City Transportation Officials' *Urban Bikeway Design Guide* and the Institute of Transportation Engineers' *Designing Walkable Urban Thoroughfares*. FHWA also recently published the *Separated Bike Lane Planning and Design Guide* that includes planning considerations and design options for separated bike lanes.

More information:

Guidance on NHS Design Standards and Design Exceptions

<http://www.fhwa.dot.gov/design/standards/qa.cfm>

MUTCD Experimentation Process

<http://mutcd.fhwa.dot.gov/condexper.htm>

FHWA Design Flexibility Memorandum

[http://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/guidance/design\\_guidance/design\\_flexibility.cfm](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design_guidance/design_flexibility.cfm)

### **7. Lane widths cannot drop below 11' on the NHS and 9' when Federal funds are used on local roads.**

This is false. There is no minimum lane width requirement to be eligible for Federal funding. As stated in the answer to Question 6, States may adopt their own standards for non-NHS roadways. The NHS includes major arterials as well as other roads important to the nation's economy, defense, and mobility. As such, the Green Book generally requires 11' or 12' lanes on these roads. The Green Book allows for lesser lane widths on low-speed facilities and low-volume roads in rural and residential areas; situations in which research shows that narrower lanes should not negatively impact safety if appropriately implemented based on the context. There is no outright prohibition against using lane widths less than those stated in the Green Book, if a design exception is justified and approved in accordance with FHWA regulations and policy. For more information on design standards and design exceptions, please visit <http://www.fhwa.dot.gov/design/standards/qa.cfm>.

In appropriate contexts, narrower lanes, combined with other features associated with them, can be marginally safer than wider lanes. The FHWA supports the use of sound engineering judgment in design. The FHWA frames this discussion using the terms [nominal safety versus substantive safety](#). Nominal safety means a design meets the technical standards; substantive safety means that a design will achieve low crash rates relative to expectations.

To assist engineers in creating roads that are substantively safe instead of simply meeting standards, FHWA offers several resources:

- a. The Highway Safety Manual <http://safety.fhwa.dot.gov/hsm/>
- b. The Interactive Highway Safety Design Model <http://www.fhwa.dot.gov/research/tfhrc/projects/safety/comprehensive/ihsdm/>
- c. Safety Analyst <http://www.safetyanalyst.org/>
- d. The Crash Modifications Factor Clearinghouse <http://www.cmfclearinghouse.org/>

### **8. Curb extensions, trees, and roundabouts cannot be used on the NHS.**

This is false. There is no prohibition on incorporating these features on NHS projects.

Curb extensions, also known as bulbouts or neckdowns, can have significant benefits for pedestrian safety. Curb extensions are explicitly supported by FHWA because they enhance the

safety of pedestrians, reduce the distance needed to cross the street, and make pedestrians more visible to motorists, particularly when there are parked cars in the vicinity. The related use of medians and crossing islands are FHWA [Proven Safety Countermeasures](#).

The suggested AASHTO clear zone distances will vary based on a number of factors such as speed, traffic volume, roadside grading, and horizontal curvature. On higher speed, higher volume roadways, certain roadside features might need to be located farther from the roadway.

According to FHWA's [Roundabouts: An Informational Guide](#), roundabouts can be considered for a variety of reasons from community enhancement and traffic calming to safety improvements and operational benefits. In fact, roundabouts are one of FHWA's [Proven Safety Countermeasures](#).

More information:

FHWA Proven Safety Countermeasures  
<http://safety.fhwa.dot.gov/provencountermeasures>.

Every Day Counts 2012 Initiatives - Intersection and Interchange Geometrics (FHWA included roundabouts as one of the innovations during the initiative)  
<http://www.fhwa.dot.gov/everydaycounts/edctwo/2012/geometrics.cfm>

## **9. Speed limits must be set using the 85th percentile methodology.**

This is false. The MUTCD Section 2B.13 contains the following mandatory (Standard) statement: "Speed zones (other than statutory speed limits) shall only be established on the basis of an engineering study that has been performed in accordance with traffic engineering practices." According to the 2012 FHWA Document [Methods and Practices for Setting Speed Limits](#), there are basic ways of setting speed limits. Use of the 85<sup>th</sup> percentile methodology is just one part of what FHWA calls the Engineering Approach. This is described as "A two-step process where a base speed limit is set according to the 85th percentile speed, the design speed for the road, or other criterion. This base speed limit is adjusted according to traffic and infrastructure conditions such as pedestrian use, median presence, etc." The 2012 document goes on to say that the engineering approach requires the use of judgment. This is different than simply setting a speed limit based on the measured 85<sup>th</sup> percentile.

The FHWA developed a model called USLIMITS2, which is a web-based tool using an expert system with a fact-based set of decision rules to determine an appropriate speed limit for all roadway users. For roadway segments that experience high pedestrian and bicyclist activities, USLIMITS2 recommends speed limits close to 50<sup>th</sup> percentile instead of 85<sup>th</sup> percentile speed. For more information, visit <http://safety.fhwa.dot.gov/uslimits/>.

The other three approaches to setting appropriate speed limits are called: Expert system approach; optimization; and injury minimization or safe system approach. To learn about these, visit [http://safety.fhwa.dot.gov/speedmgt/ref\\_mats/fhwas12004/fhwas12004.pdf](http://safety.fhwa.dot.gov/speedmgt/ref_mats/fhwas12004/fhwas12004.pdf).

## **Environmental Review Misconception**

### **10. Bicycle and pedestrian projects must be within the existing Right of Way (ROW) to be eligible for a Categorical Exclusion.**

This is false. As with all roadway projects, FHWA regulations do not require bicycle or pedestrian facilities to be within the existing ROW to be eligible for a Categorical Exclusion. See [23 CFR 771.117\(c\)](#).

The environmental review process for the National Environmental Policy Act (NEPA) considers environmental impacts of a proposed project, and does not mandate the siting of a project either within or outside of existing rights-of-way. Often an existing highway right-of-way has been disturbed to a point where it may be unlikely that a bicycle or pedestrian project would result in important impacts. This may or may not be true for proposing a project that includes locations outside of existing rights-of-way. If significant impacts result from a project, whether situated entirely within or including some areas outside existing rights-of-way, a categorical exclusion may not be appropriate, and an Environmental Assessment (EA) or Environmental Impact Statement (EIS) would need to be prepared instead.

## Pedestrian and Bicycle Funding Opportunities

### U.S. Department of Transportation Transit, Highway, and Safety Funds

Revised August 12, 2016

This table indicates potential eligibility for pedestrian and bicycle projects under U.S. Department of Transportation surface transportation funding programs. Additional restrictions may apply. See notes and basic program requirements below, and see program guidance for detailed requirements. Project sponsors should fully integrate nonmotorized accommodation into surface transportation projects. Section 1404 of the Fixing America's Surface Transportation (FAST) Act modified 23 U.S.C. 109 to require federally-funded projects on the National Highway System to consider access for other modes of transportation, and provides greater design flexibility to do so.

<b>Key:</b> \$ = Funds may be used for this activity (restrictions may apply). \$* = See program-specific notes for restrictions. ~\$ = Eligible, but not competitive unless part of a larger project.															
<b>Pedestrian and Bicycle Funding Opportunities</b>															
<b>U.S. Department of Transportation Transit, Highway, and Safety Funds</b>															
Activity or Project Type	<u>TIGER</u>	<u>TIFIA</u>	<u>FTA</u>	<u>ATI</u>	<u>CMAQ</u>	<u>HSIP</u>	<u>NHPP</u>	<u>STBG</u>	<u>TA</u>	<u>RTP</u>	<u>SRTS</u>	<u>PLAN</u>	NHTSA <u>402</u>	NHTSA <u>405</u>	<u>FLTPP</u>
Access enhancements to public transportation (includes benches, bus pads)	\$	\$	\$	\$	\$		\$	\$	\$						\$
ADA/504 Self Evaluation / Transition Plan								\$	\$	\$		\$			\$
Bicycle plans			\$					\$	\$		\$	\$			\$
Bicycle helmets (project or training related)								\$	\$SRTS		\$		\$*		
Bicycle helmets (safety promotion)								\$	\$SRTS		\$				
Bicycle lanes on road	\$	\$	\$	\$	\$	\$	\$	\$	\$		\$				\$
Bicycle parking	~\$	~\$	\$	\$	\$		\$	\$	\$	\$	\$				\$
Bike racks on transit	\$	\$	\$	\$	\$			\$	\$						\$
Bicycle share (capital and equipment; not operations)	\$	\$	\$	\$	\$		\$	\$	\$						\$
Bicycle storage or service centers at transit hubs	~\$	~\$	\$	\$	\$			\$	\$						\$
Bridges / overcrossings for pedestrians and/or bicyclists	\$	\$	\$	\$	\$*	\$	\$	\$	\$	\$	\$				\$
Bus shelters and benches	\$	\$	\$	\$	\$		\$	\$	\$						\$
Coordinator positions (State or local)					\$ 1 per State			\$	\$SRTS		\$				
Crosswalks (new or retrofit)	\$	\$	\$	\$	\$*	\$	\$	\$	\$	\$	\$				\$
Curb cuts and ramps	\$	\$	\$	\$	\$*	\$	\$	\$	\$	\$	\$				\$
Counting equipment			\$	\$		\$	\$	\$	\$	\$	\$	\$*			\$
Data collection and monitoring for pedestrians and/or bicyclists			\$	\$		\$	\$	\$	\$	\$	\$	\$*			\$
Historic preservation (pedestrian and bicycle and transit facilities)	\$	\$	\$	\$				\$	\$						\$
Landscaping, streetscaping (pedestrian and/or bicycle route; transit access); related amenities (benches, water fountains); generally as part of a larger project	~\$	~\$	\$	\$			\$	\$	\$						\$
Lighting (pedestrian and bicyclist scale associated with pedestrian/bicyclist project)	\$	\$	\$	\$		\$	\$	\$	\$	\$	\$				\$
Maps (for pedestrians and/or bicyclists)			\$	\$	\$			\$	\$		\$	\$*			
Paved shoulders for pedestrian and/or bicyclist use	\$	\$			\$*	\$	\$	\$	\$		\$				\$

**Key:** \$ = Funds may be used for this activity (restrictions may apply). \$\* = See program-specific notes for restrictions. ~\$ = Eligible, but not competitive unless part of a larger project.

Activity or Project Type	Pedestrian and Bicycle Funding Opportunities U.S. Department of Transportation Transit, Highway, and Safety Funds														
	TIGER	TIFIA	FTA	ATI	CMAQ	HSIP	NHPP	STBG	TA	RTP	SRTS	PLAN	NHTSA 402	NHTSA 405	FLTPP
Pedestrian plans			\$					\$	\$		\$	\$			\$
Recreational trails	~\$	~\$						\$	\$	\$					\$
Road Diets (pedestrian and bicycle portions)	\$	\$				\$	\$	\$	\$						\$
Road Safety Assessment for pedestrians and bicyclists						\$		\$	\$			\$			\$
Safety education and awareness activities and programs to inform pedestrians, bicyclists, and motorists on ped/bike safety								\$SRTS	\$SRTS		\$	\$*	\$*	\$*	
Safety education positions								\$SRTS	\$SRTS		\$		\$*		
Safety enforcement (including police patrols)								\$SRTS	\$SRTS		\$		\$*	\$*	
Safety program technical assessment (for peds/bicyclists)								\$SRTS	\$SRTS		\$	\$*	\$		
Separated bicycle lanes	\$	\$	\$	\$	\$	\$	\$	\$	\$		\$				\$
Shared use paths / transportation trails	\$	\$	\$	\$	\$*	\$	\$	\$	\$	\$	\$				\$
Sidewalks (new or retrofit)	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$				\$
Signs / signals / signal improvements	\$	\$	\$	\$	\$	\$	\$	\$	\$		\$				\$
Signed pedestrian or bicycle routes	\$	\$	\$	\$	\$		\$	\$	\$		\$				\$
Spot improvement programs	\$	\$	\$			\$	\$	\$	\$	\$	\$				\$
Stormwater impacts related to pedestrian and bicycle projects	\$	\$	\$	\$		\$	\$	\$	\$	\$	\$				\$
Traffic calming	\$	\$	\$			\$	\$	\$	\$		\$				\$
Trail bridges	\$	\$			\$*	\$	\$	\$	\$	\$	\$				\$
Trail construction and maintenance equipment								\$RTP	\$RTP	\$					
Trail/highway intersections	\$	\$			\$*	\$	\$	\$	\$	\$	\$				\$
Trailside and trailhead facilities (includes restrooms and water, but not general park amenities; see guidance)	~\$*	~\$*						\$*	\$*	\$*					\$
Training					\$	\$		\$	\$	\$	\$	\$*	\$*		
Training for law enforcement on ped/bicyclist safety laws								\$SRTS	\$SRTS		\$			\$*	
Tunnels / undercrossings for pedestrians and/or bicyclists	\$	\$	\$	\$	\$*	\$	\$	\$	\$	\$	\$				\$

#### Abbreviations

ADA/504: Americans with Disabilities Act of 1990 / Section 504 of the Rehabilitation Act of 1973

**TIGER:** Transportation Investment Generating Economic Recovery Discretionary Grant program

**TIFIA:** Transportation Infrastructure Finance and Innovation Act (loans)

**FTA:** Federal Transit Administration Capital Funds

**ATI:** Associated Transit Improvement (1% set-aside of FTA)

**CMAQ:** Congestion Mitigation and Air Quality Improvement Program

**HSIP:** Highway Safety Improvement Program

**NHPP:** National Highway Performance Program

**STBG:** Surface Transportation Block Grant Program

**TA:** Transportation Alternatives Set-Aside (formerly Transportation Alternatives Program)

**RTP:** Recreational Trails Program

**SRTS:** Safe Routes to School Program / Activities

**PLAN:** Statewide Planning and Research (SPR) or Metropolitan Planning funds

**NHTSA 402:** State and Community Highway Safety Grant Program

**NHTSA 405:** National Priority Safety Programs (Nonmotorized safety)

**FLTPP:** Federal Lands and Tribal Transportation Programs (Federal Lands Access Program, Federal Lands Transportation Program, Tribal Transportation Program, Nationally Significant Federal Lands and Tribal Projects)

#### Program-specific notes

Federal-aid funding programs have specific requirements that projects must meet, and eligibility must be determined on a case-by-case basis. For example:

- TIGER: Subject to annual appropriations.
- TIFIA: Program offers assistance only in the form of secured loans, loan guarantees, or standby lines of credit, but can be combined with other grant sources, subject to total Federal assistance limitations.
- FTA/ATI: Project funded with FTA transit funds must provide access to transit. See [Bikes and Transit](#) and the FTA Final Policy Statement on the [Eligibility of Pedestrian and Bicycle Improvements under Federal Transit Law](#).
  - Bicycle infrastructure plans and projects funded with FTA funds must be within a 3 mile radius of a transit stop or station, or if further than 3 miles, must be within the distance that people could be expected to safely and conveniently bike to use the particular stop or station.
  - Pedestrian infrastructure plans and projects funded with FTA funds must be within a ½ mile radius of a transit stop or station, or if further than ½ mile, must be within the distance that people could be expected to safely and conveniently walk to use the particular stop or station.
  - FTA funds cannot be used to purchase bicycles for bike share systems.
  - FTA encourages grantees to use FHWA funds as a primary source for public right-of-way projects.
- CMAQ projects must demonstrate emissions reduction and benefit air quality. See the CMAQ guidance at [www.fhwa.dot.gov/environment/air\\_quality/cmaq/](http://www.fhwa.dot.gov/environment/air_quality/cmaq/) for a list of projects that may be eligible for CMAQ funds. Several activities may be eligible for CMAQ funds as part of a bicycle and pedestrian-related project, but not as a highway project. CMAQ funds may be used for shared use paths, but may not be used for trails that are primarily for recreational use.
- HSIP projects must be consistent with a State’s [Strategic Highway Safety Plan](#) and either (1) correct or improve a hazardous road location or feature, or (2) address a highway safety problem.
- NHPP projects must benefit National Highway System (NHS) corridors.
- STBG and TA Set-Aside: Activities marked “\$SRTS” means eligible only as an SRTS project benefiting schools for kindergarten through 8<sup>th</sup> grade. Bicycle transportation nonconstruction projects related to safe bicycle use are eligible under STBG, but not under TA (23 U.S.C. 217(a)).
- RTP must benefit recreational trails, but for any recreational trail use. RTP projects are eligible under TA and STBG, but States may require a transportation purpose.
- SRTS: FY 2012 was the last year for SRTS funds, but SRTS funds are available until expended.
- Planning funds must be used for planning purposes, for example:
  - Maps: System maps and GIS;
  - Safety education and awareness: for transportation safety planning;
  - Safety program technical assessment: for transportation safety planning;
  - Training: bicycle and pedestrian system planning training.
- Federal Lands and Tribal Transportation Programs (FLTTP) projects must provide access to or within Federal or tribal lands:
  - Federal Lands Access Program (FLAP): Open to State and local entities for projects that provide access to or within Federal or tribal lands.
  - Federal Lands Transportation Program: For Federal agencies for projects that provide access within Federal lands.
  - Tribal Transportation Program: available for federally-recognized tribal governments for projects within tribal boundaries and public roads that access tribal lands.
- NHTSA 402 project activity must be included in the State’s Highway Safety Plan. Contact the State Highway Safety Office for details: <http://www.ghsa.org/html/about/shsos.html>
- NHTSA 405 funds are subject to State eligibility, application, and award. Project activity must be included in the State’s Highway Safety Plan. Contact the State Highway Safety Office for details: <http://www.ghsa.org/html/about/shsos.html>

### Cross-cutting notes

- FHWA Bicycle and Pedestrian Guidance: [http://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/)
- **Applicability of 23 U.S.C. 217(i) for Bicycle Projects:** 23 U.S.C. 217(i) requires that bicycle facilities “be principally for transportation, rather than recreation, purposes”. However, sections 133(b)(6) and 133(h) list “recreational trails projects” as eligible activities under STBG. Therefore, the requirement in 23 U.S.C. 217(i) does not apply to recreational trails projects (including for bicycle use) using STBG funds. Section 217(i) continues to apply to bicycle facilities other than trail-related projects, and section 217(i) continues to apply to bicycle facilities using other Federal-aid Highway Program funds (NHPP, HSIP, CMAQ). The transportation requirement under section 217(i) is applicable only to bicycle projects; it does not apply to any other trail use or transportation mode.
- There may be occasional DOT or agency incentive grants for specific research or technical assistance purposes.
- Aspects of many DOT initiatives may be eligible as individual projects. For example, activities above may benefit Ladders of Opportunity; safe, comfortable, interconnected networks; environmental justice; equity; etc.

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# Bicycle and Pedestrian Program

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FHWA Division  
Coordinator**

Each State has a [Bicycle and Pedestrian Coordinator](#), and each [FHWA Division office](#) has a point of contact.

**FHWA  
Headquarters  
Contact**

For more information, please contact [Dan Goodman](#), 202-366-9064.

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## United States Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations

**Signed on March 11, 2010 and announced March 15, 2010**

### Purpose

The United States Department of Transportation (DOT) is providing this Policy Statement to reflect the Department's support for the development of fully integrated active transportation networks. The establishment of well-connected walking and bicycling networks is an important component for livable communities, and their design should be a part of Federal-aid project developments. Walking and bicycling foster safer, more livable, family-friendly communities; promote physical activity and health; and reduce vehicle emissions and fuel use. Legislation and regulations exist that require inclusion of bicycle and pedestrian policies and projects into transportation plans and project development. Accordingly, transportation agencies should plan, fund, and implement improvements to their walking and bicycling networks, including linkages to transit. In addition, DOT encourages transportation agencies to go beyond the minimum requirements, and proactively provide convenient, safe, and context-sensitive facilities that foster increased use by bicyclists and pedestrians of all ages and abilities, and utilize universal design characteristics when appropriate. Transportation programs and facilities should accommodate people of all ages and abilities, including people too young to drive, people who cannot drive, and people who choose not to drive.

### Policy Statement

The DOT policy is to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including DOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems. Because of the numerous individual and community benefits that walking and bicycling provide — including health, safety, environmental, transportation, and quality of life — transportation agencies are encouraged to go beyond minimum standards to provide safe and convenient facilities for these modes.

### Authority

This policy is based on various sections in the United States Code (U.S.C.) and the Code of Federal Regulations (CFR) in Title 23—Highways, Title 49—Transportation, and Title 42—The Public Health and Welfare. These sections, provided in the Appendix, describe how bicyclists and pedestrians of all abilities should be involved throughout the planning process, should not be adversely affected by other transportation projects, and should be able to track annual obligations and expenditures on nonmotorized transportation facilities.

### Recommended Actions

The DOT encourages States, local governments, professional associations, community organizations, public transportation agencies, and other government agencies, to adopt similar policy statements on bicycle and pedestrian accommodation as an indication of their commitment to accommodating bicyclists and pedestrians as an integral element of the transportation system. In support of this commitment, transportation agencies and local communities should go beyond minimum design standards and requirements to create safe, attractive, sustainable, accessible, and convenient bicycling and walking networks. Such actions should include:

- Considering walking and bicycling as equals with other transportation modes: The primary goal of a transportation system is to safely and efficiently move people and goods. Walking and bicycling are efficient transportation modes for most short trips and, where convenient intermodal systems exist, these nonmotorized trips can easily be linked with transit to significantly increase trip distance. Because of the benefits they provide, transportation agencies should give the same priority to walking and bicycling as is given to other transportation modes. Walking and bicycling should not be an afterthought in roadway design.
- Ensuring that there are transportation choices for people of all ages and abilities, especially children: Pedestrian and bicycle facilities should meet accessibility requirements and provide safe, convenient, and interconnected transportation networks. For example, children should have safe and convenient options for walking or bicycling to school and parks. People who cannot or prefer not to drive should have safe and efficient transportation choices.
- Going beyond minimum design standards: Transportation agencies are encouraged, when possible, to avoid designing walking and bicycling facilities to the minimum standards. For example, shared-use paths that have been designed to minimum width requirements will need retrofits as more people use them. It is more effective to plan for increased usage than to retrofit an older facility. Planning projects for the long-term should anticipate likely future demand for bicycling and walking facilities and not preclude the provision of future improvements.
- Integrating bicycle and pedestrian accommodation on new, rehabilitated, and limited-access bridges: DOT encourages bicycle and pedestrian accommodation on bridge projects including facilities on limited-access bridges with connections to streets or paths.
- Collecting data on walking and biking trips: The best way to improve transportation networks for any mode is to collect and analyze trip data to optimize investments. Walking and bicycling trip data for many communities are lacking. This data gap can be overcome by establishing routine collection of nonmotorized trip information. Communities that routinely collect walking and bicycling data are able to track trends and prioritize investments to ensure the success of new facilities. These data are also valuable in linking walking and bicycling with transit.
- Setting mode share targets for walking and bicycling and tracking them over time: A byproduct of improved data collection is that communities can establish targets for increasing the percentage of trips made by walking and bicycling.
- Removing snow from sidewalks and shared-use paths: Current maintenance provisions require pedestrian facilities built with Federal funds to be maintained in the same manner as other roadway assets. State Agencies have generally established levels of service on various routes especially as related to snow and ice events.
- Improving nonmotorized facilities during maintenance projects: Many transportation agencies spend most of their transportation funding on maintenance rather than on constructing new facilities. Transportation agencies should find ways to make facility improvements for pedestrians and bicyclists during resurfacing and other maintenance projects.

## Conclusion

Increased commitment to and investment in bicycle facilities and walking networks can help

meet goals for cleaner, healthier air; less congested roadways; and more livable, safe, cost-efficient communities. Walking and bicycling provide low-cost mobility options that place fewer demands on local roads and highways. DOT recognizes that safe and convenient walking and bicycling facilities may look different depending on the context — appropriate facilities in a rural community may be different from a dense, urban area. However, regardless of regional, climate, and population density differences, it is important that pedestrian and bicycle facilities be integrated into transportation systems. While DOT leads the effort to provide safe and convenient accommodations for pedestrians and bicyclists, success will ultimately depend on transportation agencies across the country embracing and implementing this policy.

**Ray LaHood, United States Secretary of Transportation**

## APPENDIX

### *Key Statutes and Regulations Regarding Walking and Bicycling*

#### *Planning Requirements*

The State and Metropolitan Planning Organization (MPO) planning regulations describe how walking and bicycling are to be accommodated throughout the planning process (e.g., see 23 CFR 450.200, 23 CFR 450.300, 23 U.S.C. 134(h), and 135(d)). Nonmotorists must be allowed to participate in the planning process and transportation agencies are required to integrate walking and bicycling facilities and programs in their transportation plans to ensure the operability of an intermodal transportation system. Key sections from the U.S.C. and CFR include, with italics added for emphasis:

- The scope of the metropolitan planning process "will address the following factors... (2) Increase the safety for motorized and *non-motorized users*; (3) Increase the security of the transportation system for motorized and *non-motorized users*; (4) Protect and enhance the environment, promote energy conservation, improve the quality of life..." 23 CFR 450.306(a). See 23 CFR 450.206 for similar State requirements.
- Metropolitan transportation plans "...shall, at a minimum, include...existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, *pedestrian walkways and bicycle facilities*, and intermodal connectors that should function as an integrated metropolitan transportation system..." 23 CFR 450.322(f). See 23 CFR 450.216(g) for similar State requirements.
- The plans and transportation improvement programs (TIPs) of all metropolitan areas "shall provide for the development and integrated management and operation of transportation systems and facilities (including *accessible pedestrian walkways and bicycle transportation facilities*)." 23 U.S.C. 134(c)(2) and 49 U.S.C. 5303(c)(2). 23 CFR 450.324(c) states that the TIP "shall include ...trails projects, pedestrian walkways; and bicycle facilities..."
- 23 CFR 450.316(a) states that "The MPOs shall develop and use a documented participation plan that defines a process for providing...representatives of users of *pedestrian walkways and bicycle transportation facilities, and representatives of the disabled*, and other interested parties with reasonable opportunities to be involved in the metropolitan planning process." 23 CFR 450.210(a) contains similar language for States. See also 23 U.S.C. 134(i)(5), 135(f)(3), 49 U.S.C. 5303(i)(5), and 5304(f)(3) for additional information about participation by interested parties.

#### *Prohibition of Route Severance*

The Secretary has the authority to withhold approval for projects that would negatively impact pedestrians and bicyclists under certain circumstances. Key references in the CFR and U.S.C. include:

- "The Secretary shall not approve any project or take any regulatory action under this title that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless such project or regulatory action provides for a reasonable alternate route or such a route exists." 23 U.S.C. 109(m).
- "In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations." 23 U.S.C. 217(e). Although this statutory requirement only mentions bicycles, DOT encourages States and local governments to apply this same policy to pedestrian facilities as well.
- 23 CFR 652 provides "procedures relating to the provision of pedestrian and bicycle accommodations on Federal-aid projects, and Federal participation in the cost of these accommodations and projects."

#### *Project Documentation*

- "In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in *pedestrian walkways and bicycle transportation facilities*) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year." 23 CFR 450.332(a).

#### *Accessibility for All Pedestrians*

- Public rights-of-way and facilities are required to be accessible to persons with disabilities through the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164).
- The DOT Section 504 regulation requires the Federal Highway Administration (FHWA) to monitor the compliance of the self-evaluation and transition plans of Federal-aid recipients (49 CFR §27.11). The FHWA Division offices review pedestrian access compliance with the ADA and Section 504 as part of their routine oversight activities as defined in their stewardship plans.
- FHWA posted its [Clarification of FHWA's Oversight Role in Accessibility](#) to explain how to accommodate accessibility in policy, planning, and projects.

#### ***Additional Resources***

For more information about:

#### FHWA Bicycle and Pedestrian Program Resources

- [FHWA's Bicycle and Pedestrian Program](#)
- [FHWA guidance documents on walking and bicycling](#)
- [Publications related to walking and bicycling](#)
- [Information about State and local resources](#)
- [Equestrian and Other Nonmotorized Use on Bicycle and Pedestrian Facilities](#)
- [Framework for Considering Motorized Use on Nonmotorized Trails and Pedestrian Walkways](#)
- [Manuals and Guides for Trail Design, Construction, Maintenance, and Operation](#)
- [Recreational Trails](#)

- [Shared-Use Paths Along or Near Freeways and Bicycles on Freeways](#)
- [Snow Removal on Sidewalks Constructed with Federal Funding](#)
- [Federal Aid funding resources for walking and bicycling facilities](#)
- [Federal funding spent on walking and bicycling facilities](#)

#### [Accessibility](#)

- [U.S. Access Board information about ADA for public rights of way](#)
- [Accessibility Guidance for Bicycle and Pedestrian Facilities, Recreational Trails, and Transportation Enhancement Activities](#)

#### Pedestrian and Bicycle Safety

- [FHWA Pedestrian and Bicycle Safety Program](#)
- [FHWA Pedestrian and Bicycle Safety Research](#)
- The National Highway Traffic Safety Administration's [Pedestrian](#) and [Bicycle](#) Safety Programs

#### Context Sensitive Solutions

- [FHWA and Context Sensitive Solutions](#)

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- [State Bicycle and Pedestrian Coordinators](#)

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



U.S. Department of Transportation  
Federal Highway Administration

## Department of Justice/Department of Transportation Joint Technical Assistance<sup>1</sup> on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing

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.<sup>2</sup> This requirement is intended to ensure the accessibility and usability of the pedestrian walkway for persons with disabilities.

An alteration is a change that affects or could affect the usability of all or part of a building or facility.<sup>3</sup> Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, *resurfacing*, widening, and projects of similar scale and effect.<sup>4</sup> Maintenance activities on streets, roads, or highways, such as filling potholes, are not alterations.

Without curb ramps, sidewalk travel in urban areas can be dangerous, difficult, or even impossible for people who use wheelchairs, scooters, and other mobility devices. Curb ramps allow people with mobility disabilities to gain access to the sidewalks and to pass through center islands in streets. Otherwise, these individuals are forced to travel in streets and roadways and are put in danger or are prevented from reaching their destination; some people with disabilities may simply choose not to take this risk and will not venture out of their homes or communities.

Because resurfacing of streets constitutes an alteration under the ADA, it triggers the obligation to provide curb ramps where pedestrian walkways intersect the resurfaced streets. See *Kinney v. Yerusalim*, 9 F 3d 1067 (3rd Cir. 1993). This obligation has been discussed in a variety of technical assistance materials published by the Department of Justice beginning in 1994.<sup>5</sup> Over the past few years, state and local governments have sought further guidance on the scope of the alterations requirement with respect to the provision of curb ramps when streets, roads or highways are being resurfaced. These questions have arisen largely due to the development of a variety of road surface treatments other than traditional road resurfacing, which generally involved the addition of a new layer of asphalt. Public entities have asked the Department of Transportation and the Department of Justice to clarify whether particular road surface treatments fall within the ADA definition of alterations, or whether they should be considered maintenance that would not trigger the obligation to provide curb ramps. This Joint Technical Assistance addresses some of those questions.

Where must curb ramps be provided?

Generally, curb ramps are needed wherever a sidewalk or other pedestrian walkway crosses a curb. Curb ramps must be located to ensure a person with a mobility disability can travel from a sidewalk on one side of the street, over or through any curbs or traffic islands, to the sidewalk on the other side of the street. However, the ADA does not require installation of ramps or curb ramps in the absence of a pedestrian walkway with a prepared surface for pedestrian use. Nor are curb ramps required in the absence of a curb, elevation, or other barrier between the street and the walkway.

When is resurfacing considered to be an alteration?

Resurfacing is an alteration that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another, and includes overlays of additional material to the road surface, with or without milling. Examples include, but are not limited to the following treatments or their equivalents: addition of a new layer of asphalt, reconstruction, concrete pavement rehabilitation and reconstruction, open-graded surface course, micro-surfacing and thin lift overlays, cape seals, and in-place asphalt recycling.

What kinds of treatments constitute maintenance rather than an alteration?

Treatments that serve solely to seal and protect the road surface, improve friction, and control splash and spray are considered to be maintenance because they do not significantly affect the public's access to or usability of the road. Some examples of the types of treatments that would normally be considered maintenance are: painting or striping lanes, crack filling and sealing, surface sealing, chip seals, slurry seals, fog seals, scrub sealing, joint crack seals, joint repairs, dowel bar retrofit, spot high-friction treatments, diamond grinding, and pavement patching. In some cases, the combination of several maintenance treatments occurring at or near the same time may qualify as an alteration and would trigger the obligation to

provide curb ramps.

What if a locality is not resurfacing an entire block, but is resurfacing a crosswalk by itself?

Crosswalks constitute distinct elements of the right-of-way intended to facilitate pedestrian traffic. Regardless of whether there is curb-to-curb resurfacing of the street or roadway in general, resurfacing of a crosswalk also requires the provision of curb ramps at that crosswalk.

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<sup>1</sup> The Department of Justice is the federal agency with responsibility for issuing regulations implementing the requirements of title II of the ADA and for coordinating federal agency compliance activities with respect to those requirements. Title II applies to the programs and activities of state and local governmental entities. The Department of Justice and the Department of Transportation share responsibility for enforcing the requirements of title II of the ADA with respect to the public right of way, including streets, roads, and highways.

<sup>2</sup> See 28 CFR 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) and 35.151(i)(2) (Newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways).

<sup>3</sup> 28 CFR 35.151(b)(1).

<sup>4</sup> 2010 ADA Accessibility Standards, section 106.5.

<sup>5</sup> See 1994 Title II Technical Assistance Manual Supplement, Title II TA Guidance: The ADA and City Governments: Common Problems; and ADA Best Practices Tool Kit for State and Local Governments: Chapter 6, Curb Ramps and Pedestrian Crossings under Title II of the ADA, available at [ada.gov](http://ada.gov).

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## QUESTIONS & ANSWERS

### Supplement to the 2013 DOJ/DOT Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements To Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing

The *Department of Justice (DOJ)/Department of Transportation (DOT) Joint Technical Assistance on the Title II of the Americans with Disabilities Act [ADA] Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing (Joint Technical Assistance)* was published on July 8, 2013. This document responds to frequently asked questions that the Federal Highway Administration (FHWA) has received since the technical assistance document was published. In order to fully address some questions, the applicable requirements of Section 504 of the Rehabilitation Act of 1973 that apply to public entities receiving Federal funding from DOT, either directly or indirectly, are also discussed. This document is not a standalone document and should be read in conjunction with the 2013 Joint Technical Assistance.

**Q1: *When a pavement treatment is considered an alteration under the ADA and there is a curb ramp at the juncture of the altered road and an existing sidewalk (or other prepared surface for pedestrian use), but the curb ramp does not meet the current ADA Standards, does the curb ramp have to be updated to meet the current ADA Standards at the time of the pavement treatment?***

**A1:** It depends on whether the existing curb ramp meets the appropriate accessibility standard that was in place at the time it was newly constructed or last altered.

When the Department of Justice adopted its revised title II ADA Regulations including the updated ADA Standards for Accessible Design (2010 Standards,<sup>1</sup> as defined in 28 CFR 35.151), it specified that “(e)lements that have not been altered in existing facilities on or after March 15, 2012, and that comply with the corresponding technical and scoping specifications for those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards (UFAS) ... are not required to be modified in order to comply with the requirements set forth in the 2010 Standards.” 28 C.F.R. 35.150(b)(2)(i). As a result of this “safe harbor” provision, if a curb ramp was built or altered prior to March 15, 2012, and complies with the requirements for curb ramps in either the 1991 ADA Standards for Accessible Design (1991 Standards, known prior to 2010 as the 1991 ADA Accessibility Guidelines, or the 1991 ADAAG) or UFAS, it does not have to be modified to comply with the requirements in the 2010 Standards. However, if that existing curb ramp did not comply with either the 1991 Standards or UFAS as of March 15, 2012, then the safe harbor does not apply and the curb ramp must be brought into compliance with the requirements of the 2010 Standards concurrent with the road alteration. See 28 CFR 35.151(c) and (i).

Note that the requirement in the 1991 Standards to include detectable warnings on curb ramps was suspended for a period between May 12, 1994, and July 26, 1998, and again between December 23, 1998, and July 26, 2001. If a curb ramp was newly constructed or was last altered when the detectable warnings requirement was suspended, and it otherwise meets the 1991 Standards, Title II of the ADA does not require that the curb ramp be modified to add detectable warnings in conjunction with a road resurfacing alteration project. See Question #14 however, for a discussion of the DOT Section 504 requirements, including detectable warnings.

**Q2: *The Joint Technical Assistance states that “[r]esurfacing is an alteration that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another, and includes overlays of additional material to the road surface, with or without milling.” What constitutes “overlays of additional material to the road surface” with respect to milling, specifically, when a roadway surface is milled and then overlaid at the same height (i.e., no material is added that exceeds the height of what was present before the milling)?***

**A2:** A project that involves milling an existing road, and then overlaying the road with material, regardless of whether it exceeds the height of the road before milling, falls within the definition of “alteration” because it is a change to the road surface that affects or could affect the usability of the pedestrian route (crosswalk). See *Kinney v. Yerusalem*, 9 F.3d 1067 (3<sup>rd</sup> Cir. 1993). Alterations require the installation of curb ramps if none previously existed, or upgrading of non-compliant curb ramps to meet the applicable standards, where there is an existing pedestrian walkway. See also Question 8.

**Q3: *If a roadway resurfacing alteration project does not span the full width of the road, do I have to put in curb ramps?***

- A3: It depends on whether the resurfacing work affects a pedestrian crosswalk. If the resurfacing affects the crosswalk, even if it is not the full roadway width, then curb ramps must be provided at both ends of the crosswalk. See 28 CFR 35.151(i).
- Public entities should not structure the scope of work to avoid ADA obligations to provide curb ramps when resurfacing a roadway. For example, resurfacing only between crosswalks may be regarded as an attempt to circumvent a public entity's obligation under the ADA, and potentially could result in legal challenges.
- If curb ramp improvements are needed in the vicinity of an alteration project, it is often cost effective to address such needs as part of the alteration project, thereby advancing the public entity's progress in meeting its obligation to provide program access to its facilities. See Question 16 for further discussion.
- Q4: *When a road alteration project triggers the requirement to install curb ramps, what steps should public (State or local) entities take if they do not own the sidewalk right-of-way needed to install the required curb ramps?*
- A4: The public entity performing the alteration is ultimately responsible for following and implementing the ADA requirements specified in the regulations implementing title II. At the time an alteration project is scoped, the public entity should identify what ADA requirements apply and whether the public entity owns sufficient right-of-way to make the necessary ADA modifications. If the public entity does not control sufficient right-of-way, it should seek to acquire the necessary right-of-way. If a complaint is filed, the public entity will likely need to show that it made reasonable efforts to obtain access to the necessary right-of-way.
- Q5: *The Joint Technical Assistance is silent on when it becomes effective. Is there an effective date for when States and local public entities must comply with the requirements discussed in the technical assistance?*
- A5: The Joint Technical Assistance, as well as this Supplement to it, does not create any new obligations. The obligation to provide curb ramps when roads are altered has been an ongoing obligation under the regulations implementing title II of the ADA (28 CFR 35.151) since the regulation was initially adopted in 1991. This technical assistance was provided to respond to questions that arose largely due to the development of a variety of road surface treatments, other than traditional road resurfacing, which generally involved the addition of a new layer of asphalt. Although the Joint Technical Assistance was issued on July 8, 2013, public entities have had an ongoing obligation to comply with the alterations requirements of title II and should plan to bring curb ramps that are or were part of an alteration into compliance as soon as possible.
- Q6: *Is the curb ramp installation work required to be a part of the Plans, Specifications and Estimate package for an alteration project or can the curb ramp work be accomplished under a separate contract?*
- A6: The curb ramp installation work can be contracted separately, but the work must be coordinated such that the curb ramp work is completed prior to, or at the same time as, the completion of the rest of the alteration work. See 28 CFR 35.151(i).
- Q7: *Is a curb ramp required for a sidewalk that is not made of concrete or asphalt?*
- A7: The Joint Technical Assistance states that "the ADA does not require installation of ramps or curb ramps in the absence of a pedestrian walkway with a prepared surface for pedestrian use." A "prepared surface for pedestrian use" can be constructed out of numerous materials, including concrete, asphalt, compacted soil, decomposed granite, and other materials. Regardless of the materials used to construct the pedestrian walkway, if the intent of the design was to provide access to pedestrians, then curb ramps must be incorporated where an altered roadway intersects the pedestrian walkway. See 28 CFR 35.151(i).
- Q8: *If an existing curb ramp is replaced as part of a resurfacing alteration, is there an obligation to address existing obstacles on the adjacent sidewalk at the same time?*
- A8: No. The Joint Technical Assistance addresses those requirements that are triggered when a public entity alters a roadway where the roadway intersects a street level pedestrian walkway (28 CFR 35.151(i)). Public entities are required to address other barriers on existing sidewalks, such as steep cross slopes or obstructions, as part of their ongoing program access and transition plan obligations under title II of the ADA and Section 504 and in response to requests for reasonable modifications under the ADA or reasonable accommodations under Section 504. See 28 CFR 35.105, 35.130(b)(7), and 35.150(d); see also 49 CFR 27.7(e), 27.11(c)(2).
- Q9: *Several pavement preservation treatment types are not listed in the technical assistance. If the treatment type is not specifically on the list of maintenance treatments, is it an alteration?*
- A9: New treatments are always being developed and the best practice is for the City or other local public entity conducting the work, the State transportation agency, and FHWA to work together to come to an agreement on a reasonable determination of whether the unlisted treatment type is an alteration or maintenance and document their decisions. If the new treatment can be deemed to be the equivalent of any of the items listed as alterations, it is a reasonable interpretation that they are in fact alterations and should be treated as such.
- Q10: *When does a combination of two or more "maintenance" treatments rise to the level of being an alteration?*
- A10: The list of the pavement types that are considered maintenance, as stated in the 2013 Joint Technical Assistance document, are Chip Seals, Crack Filling and Sealing, Diamond Grinding, Dowel Bar Retrofit, Fog Seals, Joint Crack Seals, Joint Repairs, Pavement Patching, Scrub Sealing, Slurry Seals, Spot High-Friction Treatments, and Surface Sealing. The combination of two or more maintenance treatments may rise to the level of being an alteration.

The best practice is for the City or other local public entity conducting the work, the State transportation agency, and FHWA to work together to come to an agreement on a reasonable determination, document their policies, and apply

that determination consistently in their locality.

**Q11: *When will utility trench work require compliance with ADA curb ramp requirements?***

A11: The answer to this question depends on the scope and location of the utility trench work being done. If the utility trench work is limited to a portion of the pavement, even including a portion of the crosswalk, repaving necessary to cover the trench would typically be considered maintenance and would not require simultaneous installation or upgrading of curb ramps. Public entities should note that the ADA requires maintenance of accessible features, and as such, they must ensure that when the trench is repaved or other road maintenance is performed, the work does not result in a lesser level of accessibility. See 28 CFR 35.133(a). If the utility work impacts the curb at a pedestrian street crossing where no curb ramp exists, the work affecting the curb falls within the definition of "alteration," and a curb ramp must be constructed rather than simply replacing the curb. See 28 CFR 35.151(b) and 35.151(i).

If a public entity is unsure whether the scope of specific trench work and repair/repaving constitutes an alteration, the best practice is for the public entity to work together with the State transportation agency and the FHWA Division to come to an agreement on how to consistently handle these situations and document their decisions.

**Q12: *Is full-depth pavement patching considered maintenance?***

A12: The answer to this question depends on the scope and location of the pavement patch. If the pavement patch work is limited to a portion of the pavement, even including a portion of the crosswalk, patching the pavement would typically be considered maintenance and would not require simultaneous installation or upgrading of curb ramps. Public entities should note that the ADA requires maintenance of accessible features, and as such, they should ensure that when the pavement is patched or other road maintenance is performed, the work does not result in a lesser level of accessibility. See 28 CFR 35.133(a). If the pavement patching impacts the curb at a pedestrian street crossing where no curb ramp exists, the work affecting the curb falls within the definition of "alteration," and a curb ramp must be constructed rather than simply replacing the curb. See 28 CFR 35.151(b) and 35.151(i).

If a public entity is unsure whether the scope of specific full-depth pavement patching constitutes an alteration, the best practice is for the public entity to work together with the State transportation agency and the FHWA Division to come to an agreement on how to consistently handle these situations and document their decisions.

**Q13: *Do any other requirements apply to road alteration projects undertaken by public entities that receive Federal financial assistance from DOT either directly or indirectly, even if such financial assistance is not used for the specific road alteration project at issue?***

A13: Yes, if a public entity receives any Federal financial assistance from DOT whether directly or through another DOT recipient, then the entity must also apply DOT's Section 504 requirements even if the road alteration project at issue does not use Federal funds. See 49 CFR 27.3 (applicability of DOT's Section 504 requirements) and 27.5 (definition of "program or activity").

DOT's Section 504 disability nondiscrimination regulations are found at 49 CFR Part 27. These regulations implement Section 504 of the Rehabilitation Act of 1973 (Section 504). In 2006, DOT updated its accessibility standards by adopting the 2004 Americans with Disabilities Act Accessibility Guidelines (2004 ADAAG<sup>2</sup>) into its Section 504 regulations at 49 CFR 27.3 (referencing 49 CFR Part 37, Appendix A). These requirements replaced the previously applicable ADA Standards for Accessible Design (1991) (formerly known as 1991 ADAAG). At that time, DOT's regulation adopted a modification to Section 406 of the 2004 ADAAG which required the placement of detectable warnings on curb ramps.

The revised DOT Section 504 regulation also provided a "safe harbor" provision (similar to the ADA provision discussed in Question 1) that applies to curb ramps that were newly constructed or altered by entities receiving Federal financial assistance from DOT and that were in compliance with the 1991 ADAAG requirements prior to November 29, 2006. If the "safe harbor" applies, these curb ramps are still considered compliant and do not have to be modified to add detectable warnings unless they are altered after November 29, 2006. The DOT "safe harbor" provision is found at 49 CFR 37.9(c). DOT's Section 504 regulations (49 CFR 27.19(a)) require compliance with 49 CFR Part 37.

The Section 504 safe harbor does not apply, however, if, at the time of the road alteration project, the existing curb ramp does not comply with the 1991 ADAAG and at that time it must be brought into compliance with the current DOT Section 504 requirements (2004 ADAAG) including detectable warnings.

**Q14: *Does the Section 504 safe harbor apply to curb ramps built in compliance with 1991 ADAAG during the time period when the requirement for detectable warnings was suspended and the roadway is now being resurfaced where it intersects the pedestrian walkway?***

A14: If the curb ramps that were built or altered prior to November 29, 2006 were fully compliant with 1991 ADAAG at the time that the detectable warnings requirements were suspended, then the DOT Section 504 safe harbor applies to them and the recipient does not have to add detectable warnings as a result of a resurfacing project.

**Q15: *In addition to the obligations triggered by road resurfacing alterations, are there other title II or Section 504 requirements that trigger the obligation to provide curb ramps?***

A15: In addition to the obligation to provide curb ramps when roads are resurfaced, both DOJ's title II ADA regulation and DOT's Section 504 regulation (applicable to recipients of DOT Federal financial assistance), require the provision of curb ramps if the sidewalk is installed or altered at the intersection, during new construction, as a means of providing program accessibility, and as a reasonable modification under title II or a reasonable accommodation under Section 504.

### New Construction and Alterations

DOJ's title II ADA regulation provides that 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. In addition, the regulation provides that newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways. See 28 CFR 35.151(i). These curb ramps must comply with the 2010 Standards.<sup>3</sup>

DOT's Section 504 Federally assisted regulation also requires the provision of curb ramps in new construction and alterations. See 49 CFR 27.19(a) (requiring recipients of DOT financial assistance to comply with DOJ's ADA regulation at 28 CFR Part 35, including the curb ramp requirements at 28 CFR 35.151(i)); 49 CFR 27.75 (a)(2) (requiring all pedestrian crosswalks constructed with Federal financial assistance to have curb cuts or ramps).

### Program Accessibility

Both DOJ's title II ADA regulation and DOT's Section 504 regulation require that public entities/recipients operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. This obligation, which is known as providing "program accessibility," includes a requirement to evaluate existing facilities in the public right-of-way for barriers to accessibility, including identifying non-existent or non-compliant curb ramps where roads intersect pedestrian access routes (sidewalks or other pedestrian walkways). After completing this self-evaluation, a public entity/recipient must set forth a plan for eliminating such barriers so as to provide overall access for persons with disabilities. See 28 CFR 35.150, and 49 CFR 27.11(c).

Since March 15, 2012, the DOJ title II regulation requires the use of the 2010 Standards for structural changes needed to provide program access. However, in accordance with the ADA safe harbor discussed in Question 1, if curb ramps constructed prior to March 15, 2012 already comply with the curb ramp requirements in the 1991 Standards, they need not be modified in accordance with the 2010 Standards in order to provide program access, unless they are altered after March 15, 2012.

Similarly, DOT's Section 504 "safe harbor" allows curb ramps that were newly constructed or altered prior to November 29, 2006, and that meet the 1991 ADAAG to be considered compliant.<sup>4</sup> Elements not covered under the safe harbor provisions may need to be modified to provide program access and should be incorporated into a program access plan for making such modifications. 49 CFR 27.11(c)(2).

Under Section 504, self-evaluations and transition plans should have been completed by December 29, 1979. Under the ADA, transition plans should have been completed by July 26, 1992, and corrective measures should have been completed by January 26, 1995. While these deadlines have long since passed, entities that did not develop a transition plan prior to those dates should begin immediately to complete their self-evaluation and develop a comprehensive transition plan.

### Reasonable Modification / Accommodation

In addition to alteration and program accessibility obligations, public entities may have an obligation under title II and Section 504 to undertake curb ramp construction or alteration as a "reasonable modification/accommodation" in response to a request by, or on behalf of, someone with a disability. Such a request may be made to address a non-compliant curb ramp outside of the schedule provided in the public entity's transition plan. A public entity must appropriately consider such requests as they are made. 28 CFR 35.130(b)(7); 49 CFR 27.7(e).

<sup>1</sup> The 2010 Standards can be found on DOJ's website at [http://www.ada.gov/2010ADASTandards\\_index.htm](http://www.ada.gov/2010ADASTandards_index.htm).

<sup>2</sup> In 2004, the United States Architectural and Transportation Barriers Board (U.S. Access Board) published the Americans with Disabilities Act Accessibility Guidelines (2004 ADAAG), which serve as the basis of the current enforceable ADA standards adopted by both DOT and DOJ.

<sup>3</sup> The 2010 Standards include a provision on equivalent facilitation that allows covered entities to use other designs for curb ramps if such designs provide equal or greater access. See section 103 of the 2010 Standards.

<sup>4</sup> The DOT "safe harbor" provision is found at 49 CFR 37.9(c). DOT's Section 504 regulations (49 CFR 27.19(a)) require compliance with 49 CFR Part 37.

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# Bicycle and Pedestrian Program

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Coordinator and  
FHWA Division  
Coordinator**

Each State has a [Bicycle and Pedestrian Coordinator](#), and each [FHWA Division office](#) has a point of contact.

**FHWA  
Headquarters  
Contact**

For more information, please contact [Dan Goodman](#), 202-366-9064.

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## Memorandum

U.S. Department of Transportation  
Federal Highway Administration

### **Subject: ACTION: Designation of Bicycle and Pedestrian Coordinators within State Departments of Transportation**

**From:**  
Associate Administrator for Program  
Development**Date:** January 17, 1992**Reply to:** HPD-1**To:**  
Regional Federal Highway  
Administrators

Over the last year and a half, FHWA has taken a leadership role in encouraging consideration of the needs of bicyclists and pedestrians by States and localities in highway projects. The new Intermodal Surface Transportation Efficiency Act (ISTEA) offers increased opportunities for accommodating bicyclists and pedestrians as legitimate users of the transportation system.

Section 1033 of the new legislation requires the creation of a bicycle and pedestrian coordinator position within each State Department of Transportation. Federal funding for this position may be derived from funds available from apportionments made under Sections 104(b)(2), Surface Transportation Program, or 104(b)(3), Congestion Mitigation and Air Quality Improvement Program.

Each State, in consultation with the division offices, should initiate recruitment actions to fill this position. Where States already have bicycle/pedestrian coordinators in place, no further action is required to fill the bicycle/pedestrian coordinator position. In these cases, funds authorized by 23 U.S.C. 104(b)(2) or 104(b)(3) may be used for the position. In the remaining States, the bicycle/pedestrian coordinator position should be established and filled as soon as possible. We strongly encourage States to consider establishing a full-time bicycle and pedestrian coordinator position; however, we recognize that a full-time position may not be necessary in some States.

The Federal share for funding the bicycle/pedestrian coordinator positions shall be 80 percent with a 20 percent State matching funds requirement. For less than a full-time position, Federal funds would be available for 80 percent of the percentage of the position actually spent on bicycle and pedestrian responsibilities.

The ISTEA states that the responsibilities of the position include:

"promoting and facilitating the increased use of nonmotorized modes of transportation, including developing facilities for the use of pedestrians and bicyclists and public education, promotional, and safety programs for using such facilities."

We have attached copies of a document prepared by the Bicycle Federation of America entitled "Bicycle Coordinators and Programs: Why, How, What and Who." We would particularly direct your attention to the chapters "What does a bicycle coordinator do?", and "Who would make a good bicycle coordinator?" We have also attached a listing of the qualities useful for the coordinator and a listing of typical duties. These documents should be passed along to the States for their information.

In addition to the qualifications listed in this publication, an interest in and a commitment to the use of nonmotorized transportation modes is an important qualification for the coordinator position. The coordinator should be a program manager with specific responsibility for bicycle and pedestrian programs and activities, and have sufficient authority to work effectively with other elements within the State.

We would ask that each FHWA division office inform us of the name of the present bicycle and pedestrian coordinator for each State or the new individual as soon as these positions are filled. Please forward this information to Mr. Tom Weeks, Chief, Planning and Programming Branch, (HEP-12).

Attachments

Attachment 1

## **TYPICAL DUTIES OF STATE PEDESTRIAN & BICYCLE COORDINATOR**

- A. Plan and manage new programs in the areas of non-motorized accommodations, safety, educational materials, enforcement materials, courses, and recreation.
- B. Assist in development of State and MPO level bicycle and pedestrian facility plans.
- C. Develop safety and promotional information through printed materials, videos, TV spots, press releases, interviews, and promotional activities.
- D. Develop guidelines to assist all metropolitan areas in developing a comprehensive pedestrian/bicycle plan and provide assistance to local jurisdictions in the development of plans and programs.
- E. Develop (or prepare) printed materials such as quarterly newsletters, maps showing bicycle and pedestrian routes, safety information, and answer inquiries from citizens.
- F. Arrange for special displays and events, including conferences, workshops, and other public and technical information presentations.
- G. Develop (if necessary), review, and update State's Comprehensive Bicycle and

Pedestrian Transportation Plan.

- H. Serve as principal contact with Federal, state and local agencies, the press, citizen organizations, and individuals on matters relating to bicycles and pedestrians.
- I. Coordinate and maintain budget and forecast budgetary needs.
- J. Review projects for conformity with design standards and the state's comprehensive plan as it relates to bicycle and pedestrian facilities.
- K. Identify legislative requirements and recommend appropriate changes in state law to facilitate maximum utilization of the bicycle and pedestrian modes for transportation purposes.
- L. Maintain current knowledge of sources of funding for program. Work with appropriate offices to fully integrate bicycle and pedestrian projects in programming decisions.
- M. Serve as bicycle and pedestrian advisory committee member (if applicable).
- N. Develop priorities for special studies in areas such as:
  - 1. cause of accidents
  - 2. locations of accidents
  - 3. effectiveness of new facility designs
  - 4. needs analysis
  - 5. barrier removal analysis
  - 6. origin and destination surveys
- O. Monitor pedestrian and bicycle use, provide recommendations for system improvement and develop usage data.

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Attachment 2

**TYPICAL QUALITIES OF A SUCCESSFUL STATE  
BICYCLE/PEDESTRIAN COORDINATOR**

- 1. Commitment to non-motorized means of transportation - interested in the fields of bicycling and walking, and personally supportive of these modes
- 2. Technical experience - engineering and/or planning expertise relating to non-motorized travel useful, ability to assimilate technical information readily, problem solver and able to work through administrative as well as the inter-agency political process
- 3. Manager - Ability to coordinate contractual agreements; work within a budget; participate in developing training courses, and disseminating information to the general public and other government officials
- 4. Good Interpersonal Skills - Effective public speaker, with ability to chair meetings, coordinate contacts with the press and coordinate within various groups and organizations - both inside and outside the State government
- 5. Writing skills - Ability to organize thoughts clearly and concisely; understanding of the electronic and print media
- 6. People oriented - Outgoing, a good listener, enjoys mixing with a variety of people and sharing ideas and information

7. Creativity - Imaginative and possesses initiative to make new program a success
8. Assertive - Self-confident, enthusiastic person who will build on team developed projects

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