



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

**Testimony before the United States Access Board Regarding the Proposed
Accessibility Guidelines for Pedestrian Facilities in Public Rights-of-Way**

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Madame Chairperson and distinguished members of the Access Board, thank you for the opportunity to testify this morning regarding the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way. My name is Patrick Wojahn, and I serve as a Public Policy Analyst with the National Disability Rights Network. I am testifying here today in my joint capacity as a Co-Chair of the Consortium for Citizens with Disabilities (CCD) Transportation Task Force and as a member of the CCD Rights Task Force.

CCD is a coalition of over 100 national consumer, service provider, and professional organizations which advocates on behalf of people with disabilities and chronic conditions and their families. The Transportation Task Force is a smaller group within the coalition that addresses access to transportation for people with disabilities, including advocacy for paratransit programs and accessibility to all modes of transportation. The Task Force also advocates for increased support for those transportation resources that people with disabilities most frequently rely on, such as public transportation and accessibility in public rights-of-way. The Rights Task Force advocates on key civil rights issues of importance to individuals with disabilities. These include the preservation of rights under the Americans with Disabilities Act and other

disability rights laws that afford people with disabilities equal opportunities in many aspects of life.

The National Disability Rights Network is the national membership organization for the federally mandated Protection and Advocacy and Client Assistance Programs, which advocate for people with disabilities to receive appropriate services and achieve maximum freedom in many government and private programs, services and supports.

The CCD Transportation and Rights Task Forces both believe that accessible public rights-of-way are critical for community integration and to serve the day-to-day needs of people with disabilities. People with disabilities typically rely on the ability to traverse public rights-of-way to access both public and private transportation, to get to their jobs, to stores, to visit friends and family, and to live. Obstacles to accessibility help contribute to the abysmal unemployment rate for people with disabilities and prevent people with disabilities from being integrated as full members of the American community. The CCD Transportation Task Force believes in complete streets policies and universal design to ensure that accessibility is considered in every infrastructure project and throughout maintenance of public rights of way.

The fifty-seven Protection and Advocacy agencies across the country work in a variety of ways toward promoting right-of-way accessibility. Many Protection and Advocacy agencies, such as the Louisiana Advocacy Center and the Connecticut Office of Protection and Advocacy, have served on local Access Boards and advisory committees regarding right-of-way access. Others, such as Disability Rights New Jersey (in *New Jersey Protection and Advocacy v. Township of Riverside*, 2006 WL 2226332 (D. N.J.)) and the Disability Rights Network of Pennsylvania, in *Robertson v. City of*

McKeesport, 2:2004-cv-0198 (W.D. Penn.) and *Keller v. City of Lancaster*, 2: 2005-cv-1006 (E.D. Penn.), have been engaged in class-action lawsuits based on the failure of local governments to provide sufficient curb ramps.

The Proposed Accessibility Guidelines (“Guidelines”) go a long way toward ensuring that local and state governments follow these principles when renovating existing rights-of-way or constructing new ones. The guidelines incorporate consideration of every public right-of-way that a person might confront, from public sidewalks to crosswalks on sloped streets to overpasses and roundabouts.

Many of these standards will help ensure that people with disabilities are better able to travel over the rights-of-way. Specifically, as more and more local governments install roundabouts as a method to discourage speeding by automobiles, the provisions requiring pedestrian-activated signals at multiple-lane crosswalks increase the likelihood that people with disabilities will be able to safely navigate these. The requirements for detectable warning surfaces strike an appropriate balance between the needs of pedestrians with visual impairments and the needs of wheelchair-riders. Additionally, the guidelines provide appropriate guidance regarding the surface of access routes to ensure that wheelchair-riders are not hindered by slippery, rocky or bumpy surfaces. The guidelines also improve standards for accessible pedestrian signals to ensure that these signals may be understood by pedestrians with visual impairments.

The Task Force is, however, concerned about ensuring additional accessibility measures throughout the Guidelines. For example, although the Guidelines address safety and accessibility for multi-lane approach and exit legs at roundabouts, there are no provisions ensuring safety at single-lane approach and exit legs. Although less likely to

pose safety risks, these may still be difficult for people with disabilities to navigate. Additionally, although the Guidelines require a minimum crossing time for crosswalks of 3.5 feet per second, a recent review of studies by the AAA Foundation found that the 15% speed for pedestrians age 60 and up ranged from 3.02 to 3.19 feet per second. AAA Foundation for Traffic Safety, *Pedestrian Signal Safety for Older Persons* (2007), available at <www.aaafoundation.org/pdf/PEDsigtiming.pdf>.

In closure, thank you for the opportunity to testify regarding the views of the CCD Transportation Task Force concerning the Proposed Accessibility Guidelines for Public Rights-of-Way. The Transportation Task Force is ready to work in partnership to ensure that all people with disabilities are able to travel throughout their communities and achieve full integration in society.