


PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Avenue, Suite 800 Portland, OR 97204 503.823.5185
 Fax 503.823.7576 TTY 503.823.6868 www.portlandoregon.gov/transportation

Dan Saltzman Commissioner Leah Treat Director

CITY ENGINEER DIRECTIVE

Number	Supersedes	Effective Date	Cancellation Date
ST 001	New	June 8, 2017	
Subject		Issuer	
Traffic Signal Improvements and Americans with Disabilities Act (ADA) Upgrades		 Steve Townsen, P.E., City Engineer	

PURPOSE:

Provide guidance on when traffic signal improvements trigger ADA upgrades.

DIRECTIVE:

FHWA requires that public entities with more than 50 employees and those that use federal funding follow Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. Until such time that the U.S. Department of Justice and the U.S. Department of Transportation promulgate more definitive standards, FHWA requires State DOTs and local agencies to develop and follow a reasonable and consistent policy for addressing when traffic signal improvements trigger ADA upgrades.

The general principle for determining whether or not a signal activity triggers ADA upgrades is whether the signal work is a maintenance activity or an alteration. If the work is a maintenance activity, ADA upgrades are not triggered. In the case of an alteration or new construction, ADA upgrades are triggered. *Kinney v. Yerusalim*, 812 F. Supp. 547 (1993).

The following guidance is provided to clarify when signal improvements trigger ADA upgrades on City streets.

- If the signal improvement involves adding a pedestrian pushbutton, then the related pedestrian buttons, curb ramps and adjacent landings must be accessible (brought to current ADA standards). This includes pedestrian push button height, reach length, and the provision for adjacent all-weather level surfaces.
- In the case where only a new controller is installed and/or when upgrading to a newer software version, these signal improvements do not trigger ADA upgrades.
- In the case where a pushbutton is damaged and is replaced, a pedestrian push button is knocked down by an aberrant driver and repaired, or a damaged cabinet is switched out, these are maintenance activities that do not require simultaneous ADA upgrades.

Also, please note that during the years 2012 to 2014, pedestrian signal heads throughout the City were upgraded from the older style solid state pedestrian signal to LED countdowns. As a safety measure, if the countdown function on one of these newer pedestrian heads becomes faulty, the older style flashing hand symbol is displayed until Signal Maintenance repairs the pedestrian head. Accordingly, these are maintenance repairs that do not, on their own, necessitate further ADA upgrades.

For signal improvements at or along ODOT roadways, ODOT directives apply. Please work with the ODOT liaison for location specific requirements.



The Portland Bureau of Transportation fully complies with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations, complaints and information, call (503) 823-5185, City TTY (503) 823-6868, or use Oregon Relay Service: 711.