

Date of Meeting: February 16, 2011

**BOARD OF SUPERVISORS
TRANSPORTATION AND LAND USE COMMITTEE
ACTION ITEM**

#1

SUBJECT: **Transportation Access and Pedestrian Safety for People in Loudoun County with Disabilities**

ELECTION DISTRICT: **Countywide**

CRITICAL ACTION DATE: **At the pleasure of the Committee**

STAFF CONTACTS: **Arkopal Goswami, Office of Transportation Services
Nancy Gourley, Office of Transportation Services
Andy Beacher, Director, Office of Transportation Services**

RECOMMENDATION:

Staff: Staff recommends the following actions to address current and potential issues with respect to the provision of services for residents with disabilities:

- 1) Request VDOT to brief the TLUC on ADA compliance requirements for sidewalks and current remediation program policy.
- 2) OTS staff partner with VDOT and County human services agencies to identify priority intersection locations that require the installation of accessible pedestrian signals and availability of funding options.
- 3) The County human services agencies will identify transit needs of disabled persons they serve; Staff will work with the Disability Services Board to assess resource requirements and funding options to conduct an assessment of transit needs of the disabled population in the County.

Staff would report back to the TLUC within 6 months with an update on progress and/or recommendations for further consideration; the VDOT briefing with the Committee would be scheduled as soon as practicable.

BACKGROUND:

At its December 7, 2010 meeting, the Board of Supervisors voted 8-0-1 (York absent for the vote) to direct staff to prepare a report describing current policies and regulations regarding pedestrian access and transit opportunities for disabled persons and to present findings and recommendations for review to the TLUC at its February, 2011 meeting.

Americans with Disabilities Act of 1990

For both pedestrian and transit accommodations, the County abides by the provisions of the Americans with Disabilities Act (ADA) of 1990. ADA is a civil rights statute that prohibits discrimination against people with disabilities. ADA is composed of five sections, known as titles, including Employment (Title I), Public Services (Title II), Public Accommodations (Title III), Telecommunications (Title IV) and Miscellaneous (Title V). Pedestrian and transit accommodations are governed by Title II.

Pedestrian Accommodations

The design and installation of pedestrian accommodations along the County's public roads are guided by the ADA Accessibility Guidelines (ADAAG) and the Draft Public Rights-of-Way Accessibility Guidelines (PROWAG) which serve to implement the provisions of ADA, as well as American Association of State Highway and Transportation Officials (AASHTO) publications, the *Manual on Uniform Traffic Control Devices* (MUTCD) and Virginia Department of Transportation (VDOT) publications, which have been established in accordance with the Virginia Code. Additionally, the *Loudoun County Bicycle and Pedestrian Mobility Master Plan* contains an accessibility policy which underscores the County's commitment to accessible design:

The County shall use, and ensure compliance with, accepted national standards including the Americans with Disabilities Act Accessibility Guidelines and "Draft Guidelines for Public Rights-of-Way (June 2002)."

Taken in totality, these guidelines and policies serve to shape the design of sidewalks constructed in the County and ensure ADA compliance. Some of the specific sidewalk design requirements that provide for ADA compliance are summarized below.

Sidewalk Height Restrictions: The vertical clearance from the top of the sidewalk to the bottom of any sign shall be 84" (2134 mm) minimum in accordance with the MUTCD, Part 2.

Sidewalk Width: New sidewalks should be a minimum of 60" (1525 mm) wide.

Sidewalk Grades and Cross Slopes: Sidewalk running slope (grade) shall not exceed the general slope (grade) established for the adjacent street or highway. Cross slope shall not exceed 48:1.

Sidewalk Surfaces: Sidewalk surfaces shall be stable, firm and slip resistant and shall be generally in a continuous plane with a minimum of surface warping.

Curb Ramps: Curb ramps should be provided for each direction of crossing at intersections that incorporate pedestrian access routes, or on both sides of a mid-block location to establish a pedestrian access route for ramp users.

Buffer Strips: Buffer strip shall be 48” (1220 mm) wide to provide the lateral offset for the placement of conventional signs in accordance with the MUTCD, Part 2.

Accessible Pedestrian Signals: VDOT guidelines provide a process with which to assess and evaluate the need to install an Accessible Pedestrian Signal (APS) at an existing intersection. Sections 4E.06 and 4E.09 of the MUTCD provide guidance on the installation procedures for APS equipment. Among others, design specifications are available for pushbutton locator tone, walk interval tone, walk interval voice message, and vibrating tactile arrow. The installation of accessible pedestrian signals is addressed on a case-by-case basis using the established guidelines.

Pedestrian Access Route: The minimum continuous and unobstructed clear width of a pedestrian access route shall be 1.2 m (4.0 ft), exclusive of the width of the curb.

Protruding Objects: Objects with leading edges more than 685 mm (27 in) and not more than 2 m (80 in) above the finish surface or ground shall protrude 100 mm (4 in) maximum horizontally into the pedestrian circulation path.

Pedestrian Crossings: Marked crosswalks shall be 1.8 m (6 ft) wide minimum. The cross slope for crossings with stop control shall be a maximum of 2 percent, whereas cross slope for crossings without stop control shall be a maximum of 5 percent.

Detailed design specifications for sidewalks, curb ramps and buffer strips are available in VDOT’s *Road Design Manual*, whereas specifications for accessible pedestrian signals are available in the latest version of the MUTCD. The design specifications for the remaining items are available in the PROWAG.

Concerning existing pedestrian facilities that pre-date ADA requirements, 28 Code of Federal Regulations (CFR) Part 35, *Nondiscrimination on the Basis of Disability in State and Local Government Services*, requires governmental agencies to prepare a transition plan to identify and implement improvements to ensure ADA compliance. In Virginia, VDOT is responsible for the maintenance and implementation of the transition plan. It is understood that VDOT fulfills this requirement for sidewalks as issues are identified and funding is made available.

Other Pedestrian Initiatives

OTS is currently conducting a review of bicycle and pedestrian accommodations specifically for the County’s future Metrorail stations, as well as for the countywide transportation network. This review will identify gaps in the existing and planned bicycle/pedestrian network and allow for staff to identify potential improvement projects and recommend prioritization of those

projects. Any projects that are programmed for construction will be ADA compliant and serve to further enhance the network of pedestrian accommodations available to the County's disabled population.

Funding Sources

Several state and local funding sources are available for pedestrian improvements and include the following:

- Gas Tax
- Annual VDOT allocation for County's Secondary Roads Program

Federal funding sources include:

- Transportation Enhancement Program
- Recreational Trails Program
- Scenic Byway Program
- Section 402 Safety Program
- Hazard Elimination Program

SAFETEA-LU federal funding opportunities are available for signal improvements, curb cuts and ramps, sidewalks and crosswalks including the Surface Transportation Program and Congestion Mitigation/Air Quality Program.

Transit Accommodations

Loudoun County fulfills its obligations to ADA requirements for transit service in each of the services that it offers, whether directly, or through partner agencies. For Loudoun, at this point in time, its primary obligation under ADA is to ensure that its buses are readily accessible to, and usable by, individuals with disabilities.

Local Fixed Route Service

Virginia Regional Transit (VRT), a not-for-profit organization, partners with the County to provide local fixed route bus service within Loudoun County. Bus routes are located within the Towns of Purcellville, Hamilton and Leesburg, as well as the communities of Ashburn, Countryside, Cascades and Sterling. All of the equipment used on these fixed routes, including buses, meets or exceeds ADA requirements and is handicap accessible.

Demand Responsive Service

As a companion to its fixed route service, VRT provides demand response service, a form of specialized transportation that provides travel assistance from a resident's home to destinations within Loudoun County, such as medical appointments, shopping and other basic needs. The provision of this service itself fulfills ADA requirements for entities such as VRT that receive

federal funding for fixed route service. In order to take advantage of this service, users are required to call 24-hours in advance to make reservations and trips will be arranged whenever logistically possible. In its execution of the service, VRT complies with all ADA requirements. Citizens that live within a $\frac{3}{4}$ mile range of a fixed route, and require ADA services, may complete an application for curb-side pickup. Service hours are 7 a.m. to 7 p.m., Monday through Friday.

Commuter Bus Service

The Office of Transportation Services (OTS) provides weekday commuter bus service from park and ride lots in the County to destinations in the Washington metropolitan region. As is the case with the buses operated by VRT, Loudoun's commuter buses are in compliance with ADA requirements. Each bus is equipped with a wheelchair lift and sufficient floor space to accommodate up to two wheelchairs. The commuter buses also have kneeling capability that enables passengers to board at curb level.

Volunteer Service

Loudoun Volunteer Caregivers (LVC) is a non-profit coalition of more than 200 volunteers from the County who help the frail, elderly and disabled adults by providing transportation to medical appointments, grocery shopping, and other special outings or events.

Metrorail Extension and Future Transit Services

OTS is currently developing its six-year Transit Development Plan (TDP) in cooperation with the Virginia Department of Rail and Public Transit (DRPT). The TDP serves to implement the recommendations of the County's transit plan as defined in the 2010 Countywide Transportation Plan (CTP). The CTP and TDP are tied to the extension of Metrorail, first to Wiehle Avenue in Fairfax County, and then to Loudoun County. As such, the TDP contemplates what changes will be necessary to the County's local, express and commuter routes, and what options the County has in terms of the funding of those routes, in order to take full advantage of Metrorail. The TDP also considers expansion of service hours, to include weekend service. Ultimately, what services can be provided will be determined by the level of funding that is available for those services.

Once Metrorail comes to Loudoun County, the County will be obligated to provide paratransit service as per ADA requirements. Throughout the rest of the Washington Metropolitan Region (served by Metro), this service is currently provided by MetroAccess. MetroAccess service is provided by Washington Metropolitan Area Transit Authority (WMATA) and functions as a shared ride transit service for people who are unable to use fixed-route public transportation (such as Metro) due to disability. Rides are offered in the same service areas and during the same hours of operation as Metrorail and Metrobus.

MetroAccess one-way fares start at \$3 (base fare) and increase to a maximum of \$7. All MetroAccess rides are door-to-door unless the origin or destination is deemed non-serviceable

for door-to-door service. The obligation to provide door-to-door service applies equally to all service providers in the MetroAccess system including taxis and other Metro service partners. MetroAccess requires a one- to seven-day advance reservation.

The provision of MetroAccess-type service is under review as part of the County's TDP.

Ongoing Dialog with Disability Services Board

In November, 2010, OTS staff met with the Disability Services Board (DSB) and began a dialog regarding issues that were of concern to the Board's members regarding County transportation services for its disabled residents. The issues raised by the DSB focused largely on transit service. Some of the issues raised included requests for increased capacity of the demand responsive service, weekend service, limited or no-notice demand responsive service (current service requires 24-hour notice), extended hours for weekday service, specialized service for post-operative procedures, extra-County service, partnership with other transportation agencies and jurisdictions, western Loudoun County service, service from South Riding and regulation of taxicabs. OTS staff reviewed the requests and provided a response letter to the DSB at the January, 2011 DSB meeting. The response letter provided to the DSB is included as Attachment 1. OTS staff will be attending the February, 2011 DSB meeting to address questions from the DSB members regarding the letter. As discussed in the response letter, the Board of Supervisors will have the opportunity to review current and recommended transit service in its consideration of the Transit Development Plan which, as stated previously, is under development.

Staff Recommendations

In light of the above, staff recommends the following actions to address current and potential issues with respect to provision of services for residents with disabilities:

- 1) Request VDOT to brief the TLUC on ADA compliance requirements for sidewalks and current remediation program policy.
- 2) OTS staff partner with VDOT and County human services agencies to identify priority intersection locations that require the installation of accessible pedestrian signals and availability of funding options.
- 3) The County's human services agencies will identify transit needs of disabled persons they serve; Staff will work with the Disability Services Board to assess resource requirements and funding options to conduct an assessment of transit needs of the disabled population in the County.

Staff would report back to the TLUC within 6 months with an update on progress and/or recommendations for further consideration; the VDOT briefing would be scheduled as soon as practicable.

FISCAL IMPACT:

Staff recommendations 2 and 3 will require an assessment of estimated costs and available funding sources should candidate projects and/or services be identified. If recommended, staff will provide fiscal impact information upon reporting back to the Committee.

DRAFT MOTIONS:

1. I move that the Transportation and Land Use Committee request OTS and County human services agency staff to report back to the Committee within 6 months on the following actions: 1) a request to VDOT to brief the TLUC on ADA compliance requirements for sidewalks and its current remediation program policy (to be scheduled as soon as practicable), 2) the identification of priority intersection locations that require the installation of accessible pedestrian signals and availability of funding options, and 3) the identification of transit needs for disabled persons served by County human services agencies by working with the Disability Services Board to assess resource needs and funding options to conduct an assessment of transit needs of the disabled population in the County.

OR-

2. I move an alternative motion.

ATTACHMENT:

1. Letter to Disability Services Board, dated January 20, 2011



Loudoun County, Virginia

www.loudoun.gov

Office of Transportation Services – MSC #69

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January 20, 2011

Frank Lombardi, Chairman
Disability Services Board
906 Trailview Avenue
Leesburg, VA 20175

Ken Shipman, Vice Chairman
Disability Services Board
906 Trailview Avenue
Leesburg, VA 20175

Dear Mr. Lombardi and Mr. Shipman:

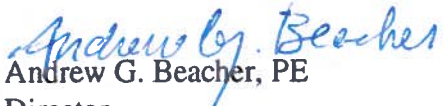
Thank you for affording me the opportunity to attend one of your meetings last fall. I appreciated the chance to come and hear the comments of the Disability Services Board (DSB) and to respond to your questions. At that time, the DSB provided me with some additional comments and concerns to follow up on. Since then, Office of Transportation Services (OTS) staff has met with the staff of Virginia Regional Transit (VRT) in an effort to respond to those items, and to set in motion some additional actions that may serve to address them. The comments and concerns raised by the DSB are summarized in the attached enclosure, with staff responses included for each item.

While my staff and I are unable to attend your January meeting in person, we would be happy to attend a future meeting, potentially the February meeting, should it be convenient, to further elaborate on our responses and answer additional questions that you may have.

Finally, I would also like to bring to your attention a parallel effort that may also serve to further address some of the concerns that the DSB has raised. At its December 7, 2010 meeting, the Board of Supervisors, through a Board-member initiated item (from Supervisor McGimsey's office), has directed OTS staff to report back to the Board's Transportation and Land Use Committee (TLUC) with a report that would describe current policies and regulations dealing with pedestrian access and transit opportunities for disabled persons. The report will also include recommendations for review by the TLUC.

It is my hope that through these ongoing and future actions that all of your concerns will be addressed satisfactorily. Thanks again for the opportunity to partner with the Disability Services Board on these issues.

Sincerely,


Andrew G. Beacher, PE
Director
Enclosure

DISABILITY SERVICES BOARD COMMENTS AND OTS/VRT RESPONSES

1. Door to Door service provided by [VRT] lacks the capacity to accommodate all of the disabled and elderly requests being made. Some requests for rides are denied as a result.

Currently, VRT does not maintain any tracking or records of curb to curb on-demand requests that are not met. It was agreed that VRT would track for a period of 60 days information related to all denials of service, including who is the caller and why the request cannot be met. Due to the unique patterns of requests for this service during the holidays, it was agreed that the tracking would begin on January 3, 2011. Pam Forshee will ensure that this tracking is done.

2. There is currently no weekend transportation outside of Leesburg, VA. There is a great desire for all populations to participate in opportunities to socialize, frequent hair dresser, shopping, visiting others, frequenting places of worship and etc.

Weekend service is currently one of the most frequent expansion requests. Weekend service has not been implemented due to funding constraints. There are currently significantly populated areas of transit dependent residents that have no transit service (i.e. Sugarland Run). The Board of Supervisors will be discussing long-range transit funding options as part of the Metro funding discussions, and from these discussions, staff may receive more direction. In addition, funding options for existing services and proposed expansions will be considered in the Transit Development Plan (TDP) development process. The TDP development process will result in a document similar to the VDOT six-year plan for roads, but for transit service, and is being developed in consultation with the Virginia Department of Rail and Public Transportation (DRPT). Once complete, this document will be presented to the Board for action. Lastly, staff notes that traditionally, public transportation is not used to serve places of worship.

3. There is no emergency and affordable on-demand transportation for the disabled and elderly. All arrangements for transit must be made no later than 24 hours in advance.

The current policy for reserving on-demand service requires 24-hour notice. This policy affords the operator (VRT) time to schedule the following day's pick-ups and drop-offs with the most efficient use of the operators and buses. Emergency requests are addressed and served as quickly as possible, when feasible.

4. Public transportation ceases to exist after 7:00 p.m. Monday through Friday. This limits citizens participation in ANY extracurricular activities including outings, movies/live theatre, restaurants, and all leisure activities – it also omits most persons with disabilities/the elderly person's ability to advocate and make their voice heard in support or opposition of issues that affect their lives during governmental meetings, town halls and input sessions.

Similar to weekend service, extended weekday service has not been implemented due to funding constraints. The transit policies within the recently adopted Countywide

Transportation Plan (CTP) recommend modifications to existing services and expansion of service hours and days. See response to comment #2 for additional details regarding future Board actions.

5. There is to no way to arrange for transportation after post-operative procedures requiring anesthesia. Medical facilities require a second adult to release a patient after a procedure, second adult not always available to accompany a person who has received treatment.

The requested service is a form of specialized transportation that does not fall within the public transit realm. Currently, however, Loudoun Volunteer Caregivers will provide this service to their care receivers.

6. No regular transportation to areas outside the county including to neighboring counties. For example: Loudoun ENDependence receives numerous calls from family members, residents and caregivers who would like to return to work after an illness or injury (and those that are disabled from an early onset seeking government employment positions). They may no longer be able to drive but still can work. Many must quit their jobs or the job pool is limited if they cannot access accessible, affordable mass transit in and out of the county.

In addition to the commuter bus service, which transports riders from Loudoun to Rosslyn, the Pentagon, and destinations in Washington, D.C., the commuter bus along with the West Falls Church Express, provide connections to Metrorail and West Falls Church. Chapter 3 of the CTP includes, in the 20 year transit vision, additional routes into Fairfax County, and various future connections to the planned Metrorail stations supporting the Silver line.

7. The need for stronger partnership between transportation agencies and county governments e.g. the Washington Metropolitan Area Transportation Authority, Fairfax County, Clark County, Loudoun and VRTA to work together to get residents across county lines.

OTS and VRT participate in many of the regional transit organizations, including the Council of Governments, Regional Partners, and the Northern Virginia Transportation Commission. Additionally, the CTP identifies opportunities to partner with neighboring jurisdictions on a proposed Route 28 transit service. However, it should be noted that State funding is awarded to each individual county/agency, and as such tends to make such initiatives more logistically challenging.

8. Service delivery to Western Loudoun County.

VRT currently offers ten hours of daily on-demand service for the area west of Purcellville and eight hours for the Lovettsville/Purcellville area. In addition, there is a daily fixed route that connects Purcellville and Hamilton to Leesburg, where riders can transfer to any of the Leesburg or County fixed routes.

9. Service delivery from South Riding to the rest of Loudoun County area.

The CTP proposes a future circulator route known as the "Dulles South Circulator" route (see Appendix 4) at the point in time when Metrorail is operational in Loudoun County (currently estimated to be late 2016/early 2017). It is understood from VRT staff that there have been some requests for service from South Riding to the senior center for lunchtime and afternoon activities. It is further understood that this service was previously provided by the Area Agency on Aging, and was discontinued due to budget cuts. OTS staff is checking with the Department of Parks, Recreation and Community Services to learn more about this issue.

10. Little to no regulation on taxicab providers in Loudoun County. Vendors can charge and are often overcharging patrons.

This is not a public transit issue, but would need to be resolved if the County were to implement a voucher program for specialized transportation. OTS staff is currently investigating the issue of taxicab regulation at the request of the County Administrator.

Some [DSB] Suggested Initiatives to Address Gaps:

1. Increase Monday through Friday service an extra three hours in designated high ride-volume areas, until 10:00 p.m. as a summer pilot program.

As noted in the response to comment #4, the transit policies within the recently adopted CTP recommend modifications to existing services and expansion of service hours and days. Funding is required to implement these CTP recommendations, a decision that is made by the Board of Supervisors.

2. Increase Monday through Friday service to South Riding area.

As noted in the response to comment #9, the CTP proposes a future circulator route known as the "Dulles South Circulator" route (see Appendix 4) at the point in time when Metrorail is operational in Loudoun County (currently estimated to be late 2016/early 2017). See response to comment #9 for additional details.

3. Pilot a 6 to 12 month weekend transportation program in the Eastern end of the county only – collect data on costs/survey on economic impact, feasibility for continuing.

See response to comment #2.

4. Host a transportation summit or symposium to include invitations extended to Clark, Fauquier, Fairfax, Rappahannock, Prince William and Loudoun county transportation and public officials to strategize opportunities to work together, figure and absorb costs.

As noted in the response to comment #7, VRT and OTS staff members, as well as elected officials, currently sit on many regional committees and commissions. Planning a future summit may be an option/recommendation that comes out of the development of the TDP.

5. Contract out taxi cab services and rates. Work with cab companies to secure wheelchair accessible vehicles.

As noted in the response to comment #10, OTS staff members are investigating this issue.

6. Selected placement of bus shelters to ensure accessibility to sidewalks, and Bus Stop signs to identify all stops on routes.

There are standards and design policies regarding bus shelter design and placement, as well as recommendations for uniformity of signage. OTS staff will work with all entities interested in placing shelters within developments to identify the need, location and necessary infrastructure.

7. Crosswalks for pedestrians with voice activation to signal when it is safe to cross.

The Virginia Department of Transportation (VDOT) sets the standards for crosswalk installation. OTS staff understands that VDOT will install audible pedestrian signals on a case-by-case basis on request. OTS staff is confirming this with VDOT staff.