Bus Stop Development Handbook

April 2003
For individuals with sensory disabilities, this document is available in alternate formats. For information, please contact:

North County Transit District
Attn: Customer Services Supervisor
810 Mission Ave.
Oceanside, CA 92054
(760) 966-6503

Persons with hearing impairment please use the California Relay Service: 800-735-2929 using TTY; 800-735-2929 using voice; 800-735-0373 for Ca. Relay Service Customer Service

Updates to this document will be made periodically as new information comes available. Every effort will be made to redistribute the document to those on the original distribution list.
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** This document is largely based on a similar publication prepared by the San Diego Metropolitan Transit Development Board.
Introduction
This handout has been designed to help planners, developers, architects and engineers understand the physical requirements of public transportation and to provide a uniform guide for the design and placement of various bus-related facilities and amenities. It is a brief overview of North Country Transit District’s (NCTD) policies to ensure that public transportation is included as a part of the early stages of the planning process. Coordinated planning between public transit and land development early on in the planning process can prevent the need for costly, less effective modifications later on.

We have included specific design standards for public transportation facilities and vehicles. These guidelines were developed primarily for application in areas where new bus transit services are proposed or where modifications or improvements to existing service are necessary in order to facilitate safe and efficient bus operations as well as a safe, comfortable environment for passengers. In addition to these guidelines, it is also important to consider the transit system as a whole, the importance of pedestrian facilities, safety and aesthetics.

Those in the private sector proposing new development should become familiar with these standards to assure that their projects will accommodate buses. The design of our communities should recognize possibilities that may exist several years in the future. Thus, even when buses do not serve a proposed project at the present time, designing for buses is still desirable. This will allow future extensions of service to be accommodated economically.

The guidelines for providing these transit facilities and amenities are based on the following considerations:

1. The basic bus operations and safety requirements;
2. The current engineering practices in North San Diego County;
3. The amenities necessary for attracting and increasing transit ridership;
4. The anticipated benefits to developers or agencies in providing transit services to their future residents, tenants and customers;
5. The compatibility of the improvements with other roadway uses; and
6. The Americans with Disabilities Act (ADA) and the California Disabled Accessibility Guidebook (2000).
7. Planning and Designing for Pedestrians, SANDAG (2002)

We at NCTD want to work with you to develop an environment that will be more conducive to and more accessible by, public transit. Please feel free to contact our Service Development Division with questions or to schedule an appointment with a planner.

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Transit-Oriented Development
There are many ways in which the design of new development can encourage greater use of public transportation. Most involve little cost or effort if they are followed early enough. The following are ten simple design principles that should be followed:

Create a pedestrian-friendly environment
The simplest way of increasing the use of public transportation is to establish communities where walking is more attractive. The factors that encourage people to walk are often subtle, but they all focus upon the creation of a pleasant environment for the pedestrian.

Make pedestrian facilities a priority
Adequate sidewalks, pathways and crosswalks will assist in the creation of a pedestrian environment. Sidewalks in residential areas should be of sufficient width for two people to walk abreast comfortably. Please check with the local jurisdiction, as required sidewalk widths may vary.

Design building sites to serve many users
The design and orientation of buildings contribute to transit use or discourage it-in ways which are not always obvious. Most suburban buildings are oriented to people arriving by automobile. Buildings should be designed and sited in ways, which cater to transit riders, pedestrians and cyclists, as well as those arriving by car.

Encourage a mixture of land uses
A basic element often overlooked in creating a pedestrian environment is the need to mix different types of land use. Mixed uses create opportunities to substitute walking for driving. Diverse uses along a street also create activity and a sense of security for those waiting at a bus stop.

Provide appropriate densities
High density is a factor that is often associated with high transit ridership. This does not mean that only high-rise apartments and office buildings should be constructed near transit stops. However, certain thresholds of development should be encouraged. NCTD encourages transit oriented residential development of 12-18 dwelling units/acre. Please check with your local Planning Department to determine an appropriate project density.

Design pedestrian friendly streets
The layout of streets in a neighborhood or commercial district can be the single greatest limiting factor on the provision of good transit service. We know that people are more likely to use the transit system if pedestrian friendly access to transit stops is provided. Once in place, street layouts are changed only with great difficulty and expense. For this reason, all proposals for new streets should be reviewed with NCTD early enough for potential problems to be identified and modifications made.

Be cautious of major streets
Major streets and arterials, accommodate-and encourage-high levels of traffic. They also pose special problems for people traveling by transit. Many of these streets are wide, lack access to
abutting land uses, cater to high-speed traffic and are difficult places for buses to stop and pedestrians to cross. Street crossings must be allowed at frequent intervals to allow safe crossings on major streets.

SANDAG’s model guidelines, “Planning and Designing for Pedestrians” provides many illustrative examples of how to develop pedestrian crossings. The document is available for downloading on SANDAG’s website, located at www.sandag.org.

Integrate transit into the community
Quite often, transit service is relegated to the periphery of a development as a practical necessity. A bolder approach is to bring transit service to the heart of a community, integrated into its fabric. Instead of being considered a nuisance to be avoided, public transportation is thus treated as an asset to be embraced.

Consider transit linkage in advance
“Linkage” is the term often used to describe the physical and psychological ways in which transit can be tied in with new development. Much of this section of the manual has dealt with linkage in one form or another. There are several other guidelines that can be considered to strengthen linkage in a new or developing community.
Bus Stop Placement
A bus stop is a linear curbside area that is specially designated for bus passenger boardings and alightings. It is identified by a bus stop sign and may be accompanied by a red curb zone and/or no-parking sign.

Bus stops are often located approximately 750 to 900 feet apart in urban areas and 1,300 feet apart in rural areas. Spacing of bus stops often varies given the various street spacing requirements. In a strip commercial or high rise development area, closer stop spacing may be required in order to serve passenger demand. Conversely, the street network in some areas may force stops to be located further apart than is desired. Whenever possible, bus stops should be located at the farside of intersections to facilitate bus and traffic operations, and to maximize pedestrian safety. Under the following special circumstances, nearside or midblock stops may be necessary:

1. When route direction changes require a right turn and the curb radius is short, a midblock location is preferred.

2. If accumulation of buses occasionally exceeds the length of bus zones, farside stops should be avoided and the zone placed on the nearside.

3. At transfer points of two crossing routes, placing one stop on the nearside and the stop for the crossing route on the farside is an advantageous arrangement. This places both stops on the same corner and minimizes street crossings by transferring passengers.

4. When a large percentage of bus passengers using a stop destined to a single large generator, the bus stop should be located so that pedestrian traffic is minimized in the intersection. The proper bus stop location could be either nearside or farside.

If passenger drop-off or loading zones are provided at least one (1) shall comply with the following:

1. 20-foot minimum length of vehicle pull up space.

2. Minimum 20’ X 5’ access aisle adjacent and parallel to the vehicle pull-up space.

3. Surface of vehicle standing space(s) and access aisle(s) does not exceed 1:50 gradient (2%) in any direction.

4. Access aisle connects directly to an accessible route.

5. Minimum 14” vertical clearance is provided at accessible passenger drop-off and loading zones and along at least one (1) vehicle access route to such areas from side entrance(s) and exit(s).

6. The International Symbol of Accessibility is displayed at accessible passenger loading zones.
District staff should be consulted whenever special circumstances regarding bus stop placement arise. Bus stop zones can usually be accommodated on street in the parking lane, bike lane, or in right-turn lanes.

In addition, providing defined access to the bus stop is important. Access to the bus stop from the intersection or adjacent land use should be as direct as possible. Pedestrian improvements include defined or designed walkways through parking lots and openings or gates through walls. When possible, sidewalks should be coordinated with existing streetlights to provide a minimum level of lighting and security. Installation of a continuous sidewalk from the intersection to the bus stop is one way to achieve greater patron access to the bus stop in areas with limited or no sidewalk coverage. Passengers should not have to walk through grass or exposed soil to reach the bus stop.
BUS STOP PLACEMENT

CASE I - Bus Stop in Parking Lane*

CASE II - Bus Stop in Extra-Wide Curb Lane*
(If curb lane is less than 20', turnout may be necessary)

CASE III - Bus Stop in Bike Lane*
(If combined width of bike lane and outside lane is less than 20', turnout may be necessary)

CASE IV - Bus Stop in Right Turn Lane
* In these cases, all farside, nearside, or midblock bus stops apply.
BUS STOP DIMENSIONS

Bus Stop Dimensions

Case 1
Far-Side Stop - 80'

Case 2
Near-Side Stop - 100'

Case 3
Mid-Block Stop - 130'

Case 4
Far-Side Stop after bus turn - 130'

(Note: Add 20' if articulated buses will use bus stop, add 70' more for each additional articulated bus expected to use the stop at the same time. Add 50' for each additional standard bus expected to use the stop at the same time.)

Scale
VERTICAL AND HORIZONTAL CLEARANCES FOR BUSES

Scale 1" = 6' (approximate)

2' Minimum buffer between edge of curb and lateral obstruction

14' - 6' Minimum clearance between roadway surface and overhead obstruction

Sidewalk Clear Width

Sidewalk Total Width

Curbside Lane Width

Non-Curbside Lane Width

Total Width At Bus Stops:

<table>
<thead>
<tr>
<th>Width</th>
<th>With No Parking</th>
<th>With Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>10' Minimum</td>
<td>12' Minimum</td>
<td>11' Minimum*</td>
</tr>
<tr>
<td>15' Desirable in Commercial Areas</td>
<td>14' Desirable</td>
<td>12' Desirable</td>
</tr>
</tbody>
</table>

Between Bus Stops:

<table>
<thead>
<tr>
<th>Width</th>
<th>With Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>5' Minimum</td>
<td>18' Minimum</td>
</tr>
<tr>
<td>6' Desirable</td>
<td>20' Desirable</td>
</tr>
</tbody>
</table>

Note:
Sidewalk clear width should be 4' minimum, 6' desirable; where pedestrian traffic is heavy, up to 8' of clear width should be reserved. Sidewalks must provide clear space for loading and unloading passengers in wheelchairs. Placement of benches, newsracks, etc. should be located carefully.
Bus Turnouts

Bus turnouts are widened sections of roadway designed for buses to pull out of the traffic stream. In cases where there are no parking or right-turn lanes or where traffic speeds or passenger boardings/bus volumes are high, a bus turnout may be necessary. Bus turnouts should be considered at a location when the following factors are present:

- Traffic in the curb lane exceeds 250 vehicles during the peak hour,
- Traffic speed is greater than 40 mph,
- Bus volumes are 10 or more at peak hour period on the roadway,
- Passenger volumes exceed 25 boardings an hour,
- Potential for auto/bus conflict warrants separation of transit and passenger vehicles,
- History of repeated traffic and/or pedestrian accidents at stop location, and
- Sight distances (i.e., hills, curves) prevent traffic from stopping safely behind a stopped bus.

NCTD staff can provide more information regarding when construction of a bus turnout is necessary.

Due to the large amount of stress that buses place on our roadways, NCTD recommends that concrete bus pads be installed at all bus turnouts. This will reduce the amount of necessary street maintenance due to pavement damage at bus stops.
BUS TURNOUTS

Approach Taper
60' Minimum
80' Desirable

Berth Area
60'

Departure Taper
40' Min
60' Desirable

CASE 1 - Far Site Turnout
90' Total Length (Minimum)
110' Total Length (Desirable)

CASE 2 - Mid-Block Turnout
150' Total Length (Minimum)
190' Total Length (Desirable)

CASE 3 - Near-Side Turnout
110' Total Length (Minimum)
130' Total Length (Desirable)

Approach Area Notes:
Dimensions of taper assume that buses will decelerate mostly in the approaching travel lane.

Berth Area Notes:
* Add 20' to length of berth area if articulated buses will use turnout, add 70' more for each additional articulated bus expected to use the turnout at the same time.
* Add 50' for each additional standard bus expected to use the turnout at the same time.

Departure Area Notes:
Dimensions of taper assume that buses will accelerate mostly in the departing travel lane.

Scale

- 40.0
- 30.0
- 20.0
- 10.0
- 5.0
- 2.0
PAVEMENT COMPOSITION

For streets suitable for regular use by buses
Scale 1" = 4'

CASE I - Asphalt Roadway

Slope 2% (typical)

Asphaltic concrete (minimum 3" to 8" *)

Concrete treated base (minimum 5" to 25" *)

Native soil

Type H Curb**

CASE II - Concrete Roadway

Slope 2% (typical)

Portland cement concrete (minimum 7" to 10.5" *)

Concrete treated base (minimum 0" to 6" *)

Native soil

Type H Curb**

CASE III - Concrete Bus Pad

For Curbside Lane at Bus Stop

Slope 2% (typical)

Portland cement concrete (9", or 8" with rebar)

Concrete treated base (6" compacted to 95% standard proctor)

Native soil

Type H Curb**

Note:

* Thickness of layers depends upon average daily traffic volume and resistance value of native soil.

** Type G curb is acceptable on collector streets.
Bus Stop Types
The design of a bus stop can often impact the amount of ridership at that particular location. A stop must be accessible, safe and convenient for passengers. NCTD requires that benches and/or bus shelters be provided at heavily used bus stops. The Americans with Disabilities Act of 1990 requires all new bus stops to include a bus stop pad that meets ADA requirements. This is necessary to facilitate the loading and unloading of disabled passengers.

NCTD has developed three distinct bus stop types: the basic stop, the bench stop, and the shelter stop. At the basic stop, an ADA accessible bus stop pad would be constructed, and no street furniture would be installed. A bench, trash receptacle and an ADA accessible pad are to be installed at a bench stop, while a shelter, bench, trash receptacle and ADA accessible bus stop pad are to be installed at a shelter stop. District staff will assist developers in determining the appropriate stop type on a case by case basis.

These dimensions have been provided as guidelines for the development of new bus stops. District staff understands that some stops may not be able to be retrofitted to meet these standards. When a developer has been required to upgrade an existing stop, District staff should be contacted to help create an appropriate design.

Dimensions for each type of stop are provided in Appendix A.
Street Furniture
In attempts to standardize the look of street furniture, we have chosen specific benches and shelters to be installed at NCTD bus stops. All new stops should incorporate 13-foot Tolar non-advertising shelters with a dome roof, or Wabash Valley metal benches. If the requested bus stop locations are not currently lit (i.e. located under or near a streetlight) we would also request that a solar panel be installed on the bus shelter to light the structure at night. Developers will be required to purchase, install and maintain all bus benches and shelters.

Although we would prefer to see these facilities installed at all bus stops, the District understands that in some cases the installation of a custom bench or shelter is desirable. District staff does not discourage the use of custom facilities, although all designs MUST be approved by staff prior to installation.

Bus Stops with Benches
- Wabash Valley 8 foot metal bench with back
- Model number P2522
- Royal Blue in color*
- Wabash Valley Manufacturing, Inc.
  P.O. Box 5, 505 E. Main Street
  Silver Lake, IN 46982
  1-800-253-8619
  www.wabashvalley.com

Bus Stops with Shelters
- Tolar 9-foot, 13-foot or 17-foot dome roof non-advertising shelter (size to be specified by NCTD)**
- Model 9NALD-PM NCTD Drawing Number 3345
- Model 13NALD-PM NCTD Drawing Number 3343
- Model 17NALD-PM NCTD Drawing Number 3346
- Solar panels for lighting
- Wire grill bench with vagrant bars
- Signal Blue in color (RAL 5005)*
- Tolar Manufacturing Company, Inc.
  730 Monroe Way
  Placentia, CA 92870
  1-800-339-6165
  www.tolarmfg.com

* Check with City staff, as some jurisdictions prefer the use of other colors.
** In some cases, the Tolar shelter is not preferred. Check with City staff, as some jurisdictions prefer that shelters be designed to meet neighborhood or community architectural themes.
BUS TURNAROUNDS

CASE 1 - Jug Handle

CASE 2 - Symmetrical Cul-De-Sac

CASE 3 - Asymmetrical Cul-De-Sac

$X = 25'$ Radius (Maximum)
If island desired

Scale

$X = 25'$ Radius (Maximum)
If island desired
NOTES:
The above diagram should be considered minimum for a standard bus. Radii of 50' (outside) and 25' (inside) are recommended for pavement edges or obstructions.
Articulated buses can be accommodated within the above envelope.
Appendix A

Bus Stop Layouts
General Notes:
1. Bus stops shall be located by the NCTD Engineer and in accordance with the direction of the County of San Diego and the local authority having jurisdiction.
2. Sawcut existing paving as indicated on the plans and as required by existing conditions.
3. All paving shall be replaced to match the existing full depth section for materials and thicknesses or as indicated on the drawings.
4. Sub-base and base shall be compacted to 95% maximum dry density per Caltrans standards.
5. Where bus shelters and/or benches are specified, refer to the manufacturer’s specifications and requirements as provided by the NCTD Engineer.
6. Where impacted by the installation of the bus stop, the Contractor shall restore landscaping and irrigation to function with the new layout. Where no other landscaping exists, grade side approaches of bus stop platforms and walkways minimum 3'-0" each non-street side with 3" compacted decomposed granite, sloped to meet the existing surface.
7. All concrete shall be 3,000 psi minimum at 28 days, finish shall be light broom.
8. All reinforcing steel shall conform to ASTM A65 and shall be deformed unless noted otherwise.
9. All bus platform equipment shall be installed in accordance with ADA regulations and the California Building Code, latest addition.
10. Where curb and gutter does not exist, contractor shall construct new curb and gutter per APWA Standard Plan 120-1, A2-150(6) for full width of specified improvements. At ramp condition, curb face shall taper to follow ramp.
11. Where retainage is required, contractor shall construct retaining wall per APWA Standard Plan 618-1, Type A Wall. Under no circumstance shall any part of the retaining wall and/or footing encroach on private property. Contractor shall provide specific engineering for retaining wall that exceeds 4'-8" in height.
12. Exact placement of Bus Stop sign and furnisings shall be verified with NCTD Engineer.
13. Beyond the area of new bus stop construction, to the edge of the demolition limits, Contractor shall patch to match existing materials and meet existing grades.
14. Contractor shall exercise Best Management Practices with respect to all construction activities including but not limited to the following issues: (a) Stockpiles of earth and other construction related materials must be protected from being transported from the site by the forces of wind or water, (b) Excess or waste concrete may not be washed into the public way or any other drainage system, (c) Provisions shall be made to retain concrete wastes on site until they can be disposed of as solid waste, (d) Trash and construction related wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.
15. NCTD shall be responsible for the payment of all permits and fees either directly or by reimbursement to the Contractor.
16. Contractor shall submit a traffic control plan for review & approval to the NCTD Engineer, if required by the permitting agency, prior to implementation.
17. Contractor shall provide construction barricades, plating and traffic control as necessary for construction.
NCTD BASIC BUS STOP W/ RAMP

(N) CONCRETE BUS STOP
SEE PLATFORM DETAIL, SIM.

3" PCC
1:20 MAX.
DOWN

CONCRETE RAMP
EXISTING UNPAVED SURFACE
CURB & GUTTER
BUS STOP SIGN
EDGE OF DEMOLITION

HANSON WILSON
INCORPORATED

NORTH COUNTY TRANSIT DISTRICT
BUS STOP MAINTENANCE HANDBOOK:
TYPICAL BUS STOP PLANS & DETAILS

BUS STOP WITH RAMP PLAN

APRIL 2, 2003
NEW CONCRETE SLAB W/ #3 BARS @ 18" O.C. EACH WAY, MID-DEPTH

DOWELED SLIP JOINT (S.J.)

NEW CONCRETE SIDEWALK TO MATCH ADJACENT

6" CLASS II OR CMB BASE

1'-0" 6"

#5 SMOOTH BAR AT 18" O.C. (SLIP JOINT)

NEW SIDEWALK:
PROVIDE SAWCUT CONTRACTION JOINT AT 1:1 ASPECT; TO GENERALLY MATCH EXISTING.
CUT JOINT MIN. 1/3 OF SLAB THICKNESS AS SOON AS CONC. WILL SUPPORT EQUIP.

PLATFORM & JOINTING DETAIL

PLATFORM AND JOINTING DETAIL
Appendix B

Americans with Disabilities Act (ADA) Information
The information contained in this Appendix is intended to help reviewers locate the source Federal and State regulations implementing the Americans with Disabilities Act (ADA) pertaining to transportation facilities, specifically, bus stops.

The ADA was passed by Congress and signed into law by President George Bush in 1990. The regulations governing transportation facilities are included in 49 CFR Parts 27, 37 and 38, and have been in effect since 1991. Regulations governing bus stops are described in Section 37.9, and are included as Attachment A. Attachment B is the Department of Transportation’s analysis of the regulation.

Appendix C to CFR Part 37 contains architectural guidelines to be used as standards for construction. The section describing the requirements for bus stops is included as Attachment C.

Appendix D to CFR Part 37 explains the Department of Transportation’s construction and interpretation of the provisions contained in CFR Part 37, and is intended to be used as definitive guidance concerning the meaning and implementation of these provisions. Attachment D is the section of this appendix pertaining to Section 37.9.

In addition to the Federal ADA regulations, the State of California regulates buildings and facilities accessibility through Title 24 of the California Code of Regulations. Attachment E contains Title 24 guidelines for bus stops. It is important to note that in areas of discrepancy between Federal and State law, the more stringent is required to be applied.
ATTACHMENT A
specified transportation services. This obligation includes, with respect to the provision of transportation services, compliance with the requirements of the rules of the Department of Justice concerning eligibility criteria, making reasonable modifications, providing auxiliary aids and services, and removing barriers (28 CFR 36.301—36.306).

(g) An entity shall not refuse to serve an individual with a disability or require anything contrary to this part because its insurance company conditions coverage or rates on the absence of individuals with disabilities or requirements contrary to this part.

(h) It is not discrimination under this part for an entity to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual’s disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.

§ 37.7 Standards for accessible vehicles.

(a) For purposes of this part, a vehicle shall be considered to be readily accessible to and usable by individuals with disabilities if it meets the requirements of this part and the standards set forth in part 38 of this title.

(b) For purposes of implementing the equivalent facilitation provision in § 38.2 of this title, a determination of compliance will be made by the Administrator or the Federal Railroad Administrator, as applicable, on a case-by-case basis. An entity wishing to employ equivalent facilitation in relation to a specification of part 38 of this title shall submit such a request to UMTA or FRA, as applicable, and include the following information:

(1) Entity name, address, contact person, and telephone;

(2) Specific provision of part 38 of this title with which the entity is unable to comply;

(3) Reasons for inability to comply;

(4) Alternative method of compliance, with demonstration of how the alternative meets or exceeds the level of accessibility or usability of the vehicle provided in part 38 of this title; and

(5) Public participation used in developing alternative method of compliance and input from that participation.

(c) Over-the-road buses acquired by public entities or by a contractor to a public entity as provided in § 37.23 of this part shall comply with § 38.22 and subpart G of part 38 of this title.

§ 37.9 Standards for accessible transportation facilities.

(a) For purposes of this part, a transportation facility shall be considered to be readily accessible to and usable by individuals with disabilities if it meets the requirements of this part and the standards set forth in appendix A to this part.

(b) Facility alterations begun before January 26, 1992, in good faith effort to make a facility accessible to individuals with disabilities may be used to meet the key station requirements set forth in §§ 37.47 and 37.51 of this part, even if these alterations are not consistent with the standards set forth in appendix A to this part. If the modifications complied with the Uniform Federal Accessibility Standard (UFAS) (41 CFR part 101—19, subpart 101—19.6) or ANSI A117.1 (1980) (American National Standards Specification for Making Buildings and Facilities Accessible to and Usable by, the Physically Handicapped). This paragraph applies only to alterations of individual elements and spaces and only to the extent that provisions covering those elements or spaces are contained in UFAS or ANSI A117.1, as applicable.

(c) Public entities shall ensure the construction of new bus stops are in compliance with section 10.2.1.1 of appendix A to this part, to the extent construction specifications are within their control.

(d) For purposes of implementing the equivalent facilitation provision in section 2.2 of appendix A to this part, a determination of compliance will be made by the Administrator or the Federal Railroad Administrator, as applicable, on a case-by-case basis. An entity wishing to employ equivalent facilitation in relation to a specification of appendix A to this part shall submit such a request to UMTA or FRA, as applicable, and include the following information:

(1) Entity name, address, contact person and telephone;

(2) Specific provision of appendix A with which the entity is unable to comply;

(3) Reasons for inability to comply;

(4) Alternative method of compliance, with demonstration of how the alternative meets or exceeds the level of accessibility or usability of the facility provided in appendix A; and

(5) Public participation used in developing alternative method of compliance and input from that participation.

§ 37.11 Administrative enforcement.

(a) Recipients of Federal financial assistance from the Department of Transportation are subject to administrative enforcement of the requirements of this part under the provisions of 49 CFR part 27, subpart F.

(b) Public entities, whether or not they receive Federal financial assistance, are also subject to enforcement action as provided in the regulations of the Department of Justice implementing title III of the ADA (28 CFR part 36).

§ 37.13 Effective date for certain vehicle lift specifications.

The vehicle lift specifications identified in §§ 38.23(b)(6), 38.85(b)(6), 38.95(b)(6), and 38.125(b) of this title apply to solicitations for vehicles under this part after January 25, 1992.

§§ 37.15—37.19 [Reserved]

Subpart B—Applicability

§ 37.21 Applicability: General.

(a) This part applies to the following entities, whether or not they receive Federal financial assistance from the Department of Transportation:

(1) Any public entity that provides designated public transportation or intercity or commuter rail transportation;

(2) Any private entity that provides specified public transportation; and

(3) Any private entity that is not primarily engaged in the business of transporting people but operates a demand responsive or fixed route system.

(b) For entities receiving Federal financial assistance from the Department of Transportation, compliance with applicable requirements of this part is a condition of compliance with section 504 of the Rehabilitation Act of 1973 and of receiving financial assistance.

(c) Entities to which this part applies also may be subject to ADA regulations of the Department of Justice (28 CFR parts 35 or 36, as applicable). The provisions of this part shall be interpreted in a manner that will make them consistent with applicable Department of Justice regulations. In any case of apparent inconsistency, the provisions of this part shall prevail.
ATTACHMENT B
might be possible for the use of a bridgeplate (and the deployment of personnel to put the bridgeplate in place) to be an equivalent facilitation, in appropriate circumstances.

Equivalent facilitation would be allowed in those cases where an entity can demonstrate that its alternative method of compliance provides comparable access and usability to persons with disabilities. While the Access Board guidelines introduce the concept of equivalent facilitation, the DOT regulation specifies the procedure for using the alternative method of compliance. Paragraph (b) sets this procedure out, explaining that determinations will be made on a case-by-case basis and that the public participation requirements generally required for this part must be used to determine the “equivalent” method of complying with the intent of the standard.

Transit providers requested that the DOT rule make clear that vehicles purchased under accessibility standards in existence before these new requirements are still considered accessible. This comment was echoed by transit properties for modifications to facilities that have been made under previously valid requirements.

The final rule makes clear that in order for a vehicle to be considered accessible to and usable by an individual with disabilities, it must comply with the Access Board standards. A vehicle that does not meet these standards cannot, therefore, be regarded as “accessible.” The Access Board guidelines themselves have been taken into consideration the concern about the use of vehicles meeting older standards being able to be used to meet the “one car per train” standard.

Finally, a new paragraph (c) has been added to cross-reference portions of part 38 applicable to over-the-road buses subject to public entity requirements by virtue of the “stand in the shoes” requirement of § 37.23 or because the buses were purchased or leased directly by a public entity. While over-the-road coaches purchased by or on behalf of a public entity have had to be accessible since August 28, 1990, we had not previously defined what accessible means. Accordingly, this regulation specifies that an over-the-road bus must have a lift which meets the performance requirements of a regular bus lift (see § 38.23) and meet the interim accessibility features specified for all other over-the-road buses in part 38, subpart G.

Section 37.9 Standards for Accessible Transportation Facilities

Section 37.13(b) of the NPRM proposed that each transportation facility, in order to be accessible to and usable by persons with disabilities, must meet the guidelines proposed by the Architectural and Transportation Barriers Compliance Board (Access Board), reprinted as Appendix B to part 37 in the proposed rule.

While the Department received over 150 comments to this section and the standards themselves, the comments were almost universally duplicative of comments sent directly to the Access Board. The Access Board is the appropriate entity to review the comments, since it is their responsibility under the ADA to define what an accessible facility looks like. All of the comments are discussed at length in the preamble to the Access Board's document adopting their guidelines as final.

The Department did receive several comments requesting clarification that a facility built to previously valid accessibility standards be "grandfathered"—that is, considered accessible. This would come up especially in the context of the key station requirement, in which rail operators will have to make designated key stations accessible by July 26, 1993 (with some extensions of time available).

The argument of the commenters is that they should not be penalized for making their stations or certain aspects of their stations accessible before the effective date of this rule. The Department agrees with this, and specifies that certain work done before the effective date of this rule will continue to be considered accessible.

The grandfather provision applies only to key stations, if the work was done in compliance with the Uniform Federal Accessibility Standards or ANSI A117.1 (1980). American National Standards Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped, it will be considered accessible. For example, if an entity used a Federal grant or loan or money derived from the Metropolitan Washington Compact to make changes to a building, it would have had to comply with the Uniform Federal Accessibility standards. Likewise, a private entity, without benefit of any Federal money, may have complied with the ANSI A117.1 standard in altering a facility. So long as the work was done in conformity with the standard that was in effect when the work was done, the facility will be considered accessible.

It is important to note, however, that one change does not make the entire facility accessible. For example, if tactile strips were installed along the station platform edges, these strips would be considered accessible, even if they do not meet the standards being promulgated today, if they met one the UFAS or ANSI standard cited above when installed. However, the installation of tactile strips does not eliminate the entity's responsibility to make other changes to the facility to make it accessible in other ways.

New paragraph (c) of this section clarifies a provision of the Access Board's standards concerning the construction of bus stop pads. The final Access Board standard (found at § 10.2.1(1) of Appendix A to part 37) has been rewritten slightly to clear up confusion about the perceived necessary construction of a bus stop pad. Section 10.2.1(1) does not require that anyone build a bus stop pad; it specifies what a bus stop pad must look like, if it is constructed.

The clarifying language in the DOT rule is to explain that public entities must exert control over the construction of bus stop pads if they have the ability to do so. The Access Board, as well as DOT, recognizes that most physical improvements related to bus stops are out of the control of the transit provider. Paragraph (c) of § 37.9 merely notes that where a transit provider does have control over the construction, it must exercise that control to ensure that the pad meets these specifications.

One other comment was submitted to the Access Board concerning an implication of this provision where there is a bus loading island with buses pulling up on both sides of the island. The concern is that the bus pad specification would require the island to be a minimum of 84 inches wide (two widths of a bus stop pad), which exceeds most available urban space. While building a “double-wide pad” would be one approach to compliance, other approaches based on operational practices at a pad of normal width would also be acceptable, consistent with the concept of "equivalent facilitation."

A new paragraph (e), parallel to § 37.7(l), has been added to provide a procedure for reviewing proposed equivalent facilitation requests in transportation facilities.
ATTACHMENT C
(a) at least one public entrance shall allow a person with mobility impairments to approach, enter and exit including a minimum clear door width of 32 in (815 mm).

(b) sleeping space for homeless persons as provided in the scoping provisions of 9.1.2 shall include doors to the sleeping area with a minimum clear width of 32 in (815 mm) and maneuvering space around the beds for persons with mobility impairments complying with 9.2.2(1).

(c) at least one toilet room for each gender or one unisex toilet room shall have a minimum clear door width of 32 in (815 mm), minimum turning space complying with 4.2.3, one water closet complying with 4.16, one lavatory complying with 4.19 and the door shall have a privacy latch; and, if provided, at least one tub or shower shall comply with 4.20 or 4.21, respectively.

(d) at least one common area which a person with mobility impairments can approach, enter and exit including a minimum clear door width of 32 in (815 mm).

(e) at least one route connecting elements (a), (b), (c) and (d) which a person with mobility impairments can use including minimum clear width of 36 in (915 mm), passing space complying with 4.3.4, turning space complying with 4.2.3 and changes in levels complying with 4.3.8.

(f) homeless shelters can comply with the provisions of (a)-(e) by providing the above elements on one accessible floor.

9.5.3. Accessible Sleeping Accommodations in New Construction. Accessible sleeping rooms shall be provided in conformance with the table in 9.1.2 and shall comply with 9.2 Accessible Units, Sleeping Rooms and Suites (where the items are provided). Additional sleeping rooms that comply with 9.3 Sleeping Accommodations for Persons with Hearing Impairments shall be provided in conformance with the table provided in 9.1.3.

In facilities with multi-bed rooms or spaces, a percentage of the beds equal to the table provided in 9.1.2 shall comply with 9.2.2(1).
10.3 Fixed Facilities and Stations

that are sized to the maximum dimensions permitted under legitimate local, state or federal regulations or ordinances shall be considered in compliance with 4.30.2 and 4.30.3 for purposes of this section.

EXCEPTION: Bus schedules, timetables, or maps that are posted at the bus stop or bus bay are not required to comply with this provision.

10.2.2 Bus Stop Sitting and Alterations.

(1) Bus stop sites shall be chosen such that, to the maximum extent practicable, the areas where lifts or ramps are to be deployed comply with section 10.2.1(1) and (2).

(2) When new bus route identification signs are installed or old signs are replaced, they shall comply with the requirements of 10.2.1(3).

10.3 Fixed Facilities and Stations.

10.3.1 New Construction. New stations in rapid rail, light rail, commuter rail, intercity bus, intercity rail, high speed rail, and other fixed guideway systems (e.g., automated guideway transit, monorails, etc.) shall comply with the following provisions, as applicable:

(1) Elements such as ramps, elevators or other circulation devices, fare vending or other ticketing areas, and fare collection areas shall be placed to minimize the distance which wheelchair users and other persons who cannot negotiate steps may have to travel compared to the general public. The circulation path, including an accessible entrance and an accessible route, for persons with disabilities shall, to the maximum extent practicable, coincide with the circulation path for the general public. The circulation path is different, signage complying with 4.30.1, 4.30.2, 4.30.3, 4.30.5, and 4.30.7(1) shall be provided to indicate direction to and identify the accessible entrance and accessible route.

(2) In lieu of compliance with 4.1.3(8), at least one entrance to each station shall comply with 4.14, Entrances. If different entrances to a station serve different transportation fixed routes or groups of fixed routes, at least one entrance serving each group or route shall comply with 4.14, Entrances. All accessible entrances shall, to the maximum extent practicable, coincide with those used by the majority of the general public.

(3) Direct connections to commercial, retail, or residential facilities shall have an accessible route complying with 4.3 from the point of connection to boarding platforms and all transportation system elements used by the public. Any elements provided to facilitate future direct connections shall be on an accessible route connecting boarding platforms and all transportation system elements used by the public.

(4) Where signs are provided at entrances to stations identifying the station or the entrance, or both, at least one sign at each entrance shall comply with 4.30.4 and 4.30.6. Such signs shall be placed in uniform locations at entrances within the transit system to the maximum extent practicable.

EXCEPTION: Where the station has no defined entrance, but signage is provided, then the accessible signage shall be placed in a central location.

(5) Stations covered by this section shall have identification signs complying with 4.30.1, 4.30.2, 4.30.3, and 4.30.5. Signs shall be placed at frequent intervals and shall be clearly visible from within the vehicle on both sides when not obstructed by another train. When station identification signs are placed close to vehicle windows (i.e., on the side opposite from boarding) each shall have the top of the highest letter or symbol below the top of the vehicle window and the bottom of the lowest letter or symbol above the horizontal mid-line of the vehicle window.

(6) Lists of stations, routes, or destinations served by the station and located on boarding areas, platforms, or mezzanines shall comply with 4.30.1, 4.30.2, 4.30.3, and 4.30.5. A minimum of one sign identifying the specific station and complying with 4.30.4 and 4.30.6 shall be provided on each platform or boarding area. All signs referenced in this paragraph shall, to the maximum extent practicable, be placed in uniform locations within the transit system.
ATTACHMENT D
The rule specifically provides that “grandfathering” applies only to alterations of individual pieces and only to the extent that provisions covering those elements or spaces are found in UFAS or AHSI A117.1. For example, alterations to the telephones in a key station may have been carried out in order to lower them to meet the requirements of UFAS, but telecommunication devices for the deaf (TDDs) were not installed. (Neither UFAS nor the ANSI standard include requirements concerning TDDs). However, because appendix A does contain TDD requirements, the key station must now be altered in accordance with the standards for TDDs. Similarly, earlier alteration of an entire station in accordance with UFAS or the ANSI standard would not relieve an entity from compliance with any applicable provision concerning the gap between the platform between the platform and the vehicle in a key station, because neither of these two standardsdato the interface between vehicle and platform.

New paragraph (c) of this section clarifies a provision of the Access Board's standards concerning the construction of bus stop pads at bus stops. The final Access Board standard (found at section 10.2.1(1) of appendix A to part 37) has been rewritten slightly to clear up confusion about the perceived necessary construction of a bus stop pad. Section 10.2.1(1) does not require that anyone build a pad; it does specify what a bus stop pad must look like. If it is constructed, the further clarifying language in § 37.9(c) explains that public entities must exert control over the construction of bus stop pads if they have the ability to do so. The Access Board, as well as DOT, recognize that most physical improvements related to bus stops are out of the control of the transit provider. Paragraph (c) of § 37.9 merely notes that where a transit provider does have control over the construction, it must exercise that control to ensure that the pad meets these specifications.

One further clarification concerning the implication of this provision deals with a bus loading island at which buses pull up on both sides of the island. It would be possible to read the bus pad specification to require the island to be a minimum of 64 inches wide (two widths of a bus stop pad), so that a lift could be deployed from buses on both sides of the island at the same time. A double-wide bus pad, however, is likely to exceed available space in most instances.

Where there is space, of course, building a double-wide pad is one acceptable option under this rule. However, the combination of a pad of normal width and standard operational practices may also suffice. (Such practices could be offered as an equivalent facility.) For example, buses on either side of the island could stop at staggered locations (i.e., the bus on the left side could stop several feet ahead of the bus on the right side), so that even when buses were on both sides of the island at once, their lifts could be deployed without conflict. Where it is possible, buildings longer than normal size could facilitate such an approach. In a situation where staggered stop areas are not feasible, an operational practice of having one bus wait until the other's lift cycle has been completed could do the job. Finally, the specification does not require that a pad be built at all. If there is nothing that can be done to permit lift deployment on both sides of an island, the buses can stop on the street, or some other location, so long as the lift is deployable.

Like § 37.2, this section contains a provision allowing an entity to request approval for providing accessibility through an equivalent facility.

Section 37.11 Administrative Enforcement

This section spells out administrative means of enforcing the requirements of the ADA. Recipients of Federal financial assistance from DOT (whether public or private) must comply with DOT's section 504 enforcement procedures. The existing procedures, including administrative complaints to the DOT Office of Civil Rights, investigation, attempts at conciliation, and final resort to proceedings to cut off funds to a noncomplying recipient, will continue to be used.

In considering enforcement matters, the Department is guided by a policy that emphasizes compliance. The aim of enforcement action, as we see it, is to make sure that entities meet their obligations, not to impose sanctions for their own sake. The Department's enforcement priority is on failures to comply with basic requirements and "pattern or practice" kinds of problems, rather than on isolated operational errors.

Under the DOJ rules implementing Title II of the ADA (28 CFR part 36), DOT is a "designated agency" for enforcement of complaints relating to transportation programs of public entities, even if they do not receive Federal financial assistance. When it receives such a complaint, the Department will investigate the complaint, attempt conciliation and, if conciliation is not possible, take action under section 504 and/ or refer the matter to the DOJ for possible further action.

Title III of the ADA does not give DOT any administrative enforcement authority with respect to private entities whose transportation services are subject to part 37. In its Title III rule (28 CFR part 38), DOJ assumes enforcement responsibility for all Title III matters. If the Department of Transportation receives complaints of violations of part 37 by private entities, it will refer the matters to the DOJ.

It should be pointed out that the ADA includes other enforcement options. Individuals have a private right of action against entities who violate the ADA and its implementing regulations. The DOJ can take violators to court. These approaches are not mutually exclusive with the administrative enforcement mechanisms described in this section. An aggrieved individual can complain to DOT about an alleged transportation violation and go to court at the same time. Use of administrative enforcement procedures does not affect enforcement matters under titles II and III, an administrative remedy that individuals must exhaust before taking legal action.
ATTACHMENT E
1131B.4 Bus Stop Pads and Shelters. Where provided, provide bus stop pads 96 inches (2438 mm) long (measured parallel to curb or road edge) to the maximum extent allowed by legal or site constraints. Bus stop pads shall connect to an accessible route. Newly constructed bus stop pads must provide a square curb surface between the pad and road or other detectable warning.

Bus stop pads shall be at same slope as roadway in the direction parallel to roadway, and maximum 2 percent slope perpendicular to roadway.

Where provided, provide bus stop shelters installed so as to permit a wheelchair user to enter the shelter and access a clear floor area of 30 by 48 inches (762 mm by 1219 mm), completely within the shelter. Bus stop shelters shall connect to an accessible route and to bus stop pads.