

## Improving Access Under Section 504/ Title II of ADA How the Laws Apply

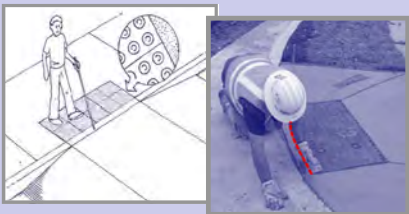
Together, Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans With Disabilities Act (ADA) of 1990 **prohibit discrimination against qualified individuals with disabilities in providing access to public services and facilities.**

**Section 504 of the Rehabilitation Act** states that “no qualified individual with a disability...shall be excluded from, denied the benefits of, or be subjected to discrimination under any program or activity that...receives Federal financial assistance.”

**Title II of the Americans with Disabilities Act of 1990** extends this coverage to “public entities”, regardless of whether they received Federal financial assistance. Subpart G of Title II grants the Federal Highway Administration (FHWA) the authority to ensure compliance by State and local governments and their agencies that have responsibility for roads, highways and pedestrian facilities.

**To enable persons with disabilities to participate equally in agency programs, services and activities, Title II requires that NJDOT:**

- Make reasonable modifications to existing policies and programs
- Make newly constructed facilities and facilities being altered accessible
- Install curb cuts on uneven surfaces



**FOR MORE INFORMATION  
ABOUT SECTION 504/ TITLE II,  
PLEASE CONTACT:**



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## NEW JERSEY DEPARTMENT OF TRANSPORTATION



**ACCESS FOR  
INDIVIDUALS WITH  
DISABILITIES**

**SECTION 504/ TITLE II  
ADA**

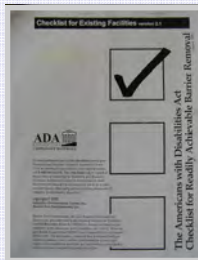


## Improving Access Under Section 504/ Title II of ADA Program Elements

As a State Department of Transportation with responsibility for roads, highways and pedestrian facilities, **NJDOT must make its programs, services, activities, and facilities accessible for individuals with disabilities in accordance with Section 504 and Title II of the ADA.**

To achieve compliance and improve accessibility for individuals with disabilities, **NJDOT has the following program elements in place:**

- Dedicated Section 504/ ADA Coordinator responsible for compliance, reporting, outreach, and problem resolution.
- Public notice of its Section 504/ ADA obligations.
- Adopted procedures for filing complaints or grievances.
- Inter-departmental coordination on ADA issues.
- Self-evaluation of its programs and services focused on accessibility.
- Transition Plan that addresses structural modifications to facilities.
- Assurances to the Federal Highway Administration (FHWA) that the intended recipients of Federal financial assistance will not discriminate on the basis of disability in any of its programs, services, or activities.
- Accessible facilities for conducting programs, services and activities, or provision of alternative means of accessibility.
- Ongoing efforts to make new and altered buildings accessible in accordance with accessibility guidelines.



## Improving Access Under Section 504/ Title II of ADA Commitment to the Public

**NJDOT has adopted a Notice Under the Americans With Disabilities Act**, which states:

*In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the New Jersey Department of Transportation "NJDOT" will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.*

**Title II focuses on removing barriers** to effective communication, barriers that result from existing NJDOT policies / procedures, and physical barriers on facilities which are owned or managed by NJDOT, including buildings and roads.

To remove barriers that result from existing policies/ procedures, **NJDOT will make all reasonable modifications to existing policies and programs** to ensure that persons with disabilities can equally enjoy all of its programs, services, and activities. For instance, service animals are welcomed in NJDOT offices, although pets are generally prohibited.



To remove physical barriers on owned or managed facilities and roads, **NJDOT will take progressive actions to prioritize, schedule, and implement required improvements.**



## Improving Access Under Section 504/ Title II of ADA Road Map for the Future

Within NJDOT, **the Civil Rights Division has the lead for implementing compliance activities** with respect to Section 504/ Title II.

The most significant program element to enable NJDOT to monitor and track progress in achieving compliance is the Transition Plan as required by Title II.

**The Transition Plan serves as NJDOT's long-term blueprint for making new and altered building accessible.** It outlines a framework for incremental improvements in program accessibility and compliance, and contains information that is commensurate with NJDOT's existing data and budgetary resources.

**NJDOT is committed to ongoing updates** to the Plan's required elements, including:

- Inventory of existing facilities that limit access for persons with disabilities.
- Detailed methods for making the facilities accessible.
- Prioritization schedule for improving facilities.
- Completion milestone for each year of the Plan.
- Curb ramp installation schedule for newly constructed or altered roadways where intersections have curbs or other barriers to entry.

The most recent Plan is available for public review and comment at the following address:

<http://www.state.nj.us/transportation/business/ada/pdf/transitionplan.pdf>

The related Self-Evaluation, which forms the basis of the Plan, can also be found at:

<http://www.state.nj.us/transportation/business/ada/pdf/selfevaluationimplementationplan.pdf>

