

Curleigh (Jim) Carothers

From: WSDOT ADA <WSDOTADA@WSDOT.WA.GOV>
Sent: Friday, September 13, 2024 11:52 AM
Cc: Murinko, Shawn; Bayne, Jackie
Subject: WSDOT ADA Notice to Local Governments that documentation regarding ADA transition plans must be provided by January 1, 2025
Attachments: WSDOT ADA Notice to Local Governments.pdf
Importance: High
Follow Up Flag: Follow up
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Dear Local Agency Partners,

The Washington State Department of Transportation (WSDOT) remains committed to providing equitable access to Washington's multimodal transportation system, which includes users with disabilities. The purpose of this letter is to notify **all local agencies with more than fifty fulltime employees and who receive federal funds from WSDOT must provide copies of their transition plan by January 1, 2025.**

As a State Transportation Agency (STA), WSDOT has the responsibility to monitor subrecipients of federal assistance to ensure their compliance with Title II of the ADA and Sec. 504. This includes STA-funded (both federal and state dollars) projects and programs that the subrecipients implement. Under the ADA and its implementing regulations {28 CFR § 35.130(b)(1)(v)}, the state cannot aid or perpetuate discrimination against an individual with a disability by providing significant assistance to an entity that discriminates in providing any aid, benefit, or service to beneficiaries. Similarly, Section 504 of the Rehabilitation Act (Section 504) and its implementing regulations (49 CFR § 27.7 (b)(v)) provides that a recipient of Federal Highway Administration (FHWA) funds (e.g. the State) cannot provide financial or other assistance to an agency, organization, or person that discriminates based on disability in providing any aid, benefit, or service. As such, WSDOT is lawfully forbidden from providing funds to a local agency that does not comply with ADA and Section 504.

To remain in compliance with ADA and Section 504, WSDOT will be requiring all local agencies with more than fifty fulltime employees and are receiving FHWA funds to provide documentation demonstrating they have started, or completed, an ADA transition plan by January 1, 2025.

Please review the attached letter from WSDOT's Office of Equity and Civil Rights Director Earl Key for more information on how to provide documentation of transition plans and how WSDOT will evaluate the provided documentation.

Questions regarding this request can be sent to the WSDOT ADA Compliance Team at wsdotada@wsdot.wa.gov.

Sincerely,

WSDOT ADA Compliance Team