

APPENDIX G
GAP ANALYSIS

ADA Transition Plan Gap Analysis Matrix for Requirements under Title II and Section 504

Category	Requirement	Regulation Reference/Citation		Applicable MDT Policy or Procedure	MDT Compliant			Description of Gap or Deficiency	Suggestions for Improvement		
		Title II - ADA	Section 504		Yes	No	In Progress				
Administration	ADA Coordinator	Designate an ADA Coordinator	28 CFR 35.107(a)	49 CFR 27.13(a)	ADA/504 Coordinator Duties	X			No deficiency identified	Provide a list of ADA/504 coordinator duties and make available to the public.	
	Public Notice	Provide Notice about the Rights of the Public under the ADA, ADA Contact(s) within the Department, and Public Participation Opportunities	28 CFR 35.105(b) 28 CFR 35.106 28 CFR 35.107(a)	49 CFR 27.15	ADA/504 Notice of Nondiscrimination	X			No deficiency identified	Expand the ADA portion of the website. Make a link on MDT's home page so the webpage can be easily identified.	
	Grievance Procedure	Establish Grievance Procedure(s)	28 CFR 35.107(b)	49 CFR 27.13(b) 49 CFR 27.121(b)	Title VI/ADA Section 504 – Complaint Procedures and Form			X	No deficiency identified	Modify the document to include ADA Title II or create a specific grievance procedure related to ADA. It appears this document was created with the focus being on Title VI of the Civil Rights Act and there is a minimal amount of material on ADA Title II.	
					Non-Discrimination - Equal Employment Opportunity Policy					No suggestion.	
					Complaint Log					Revise to include columns for the respondent, date received, and date concluded.	
	Transition Plan / Self-Evaluation	Establish a Transition Plan/Self-Evaluation Process	28 CFR 35.105 28 CFR 35.150(d)	49 CFR 27.11(c)(2)	n/a			X	MDT has not yet developed a transition plan	MDT has contracted with DOWL HKM to develop a transition plan. Maintain the current internal advisory committee during plan implementation to ensure collaboration between bureaus. Include external stakeholder representatives in the work group. Allow a period for the public to review the ADA Transition Plan and self-evaluation process.	
Other	Monitor Sub-Recipients to Ensure ADA Compliance	28 CFR 35.130(b)(1)(v)	49 CFR 27.7(b)(1)(v)	n/a		X		MDT has not yet developed an assurance policy for sub-recipients	Create a sub-recipient assurance to MDT.		
	Provide Written Assurance to FHWA		49 CFR 27.9	Non-Discrimination Agreement	X			No deficiency identified	Title VI appears to be the focus of this document. Modify the document to contain more information about ADA Title II.		
Communications	Auxiliary Aids	Provide Auxiliary Aids Upon Request and Notify Public of their Availability	28 CFR 35.160(a) 28 CFR 35.160(b)(1)	49 CFR 27.7(c)	List of Interpreters ADA/504 Notice of Nondiscrimination	X			No deficiency identified	Provide a list of auxiliary aids and how to obtain the aids on MDT's ADA webpage.	
	Information & Signage	Provide Necessary Signage	28 CFR 35.163	49 CFR 27.7(c)	MUTCD	X			No deficiency identified	Create a web accessibility policy that states MDT's website shall be accessible to all users. This policy would also detail how MDT would provide access to the disabled community. Provide consistent signage as appropriate (e.g., parking lots, pedestrian crossings, publicly accessible buildings)	
	TTY	Offer Accessible Telephone Services	28 CFR 35.161	49 CFR 27.7(c)	ADA/504 Notice of Nondiscrimination	X			No deficiency identified	No suggestion.	
Facilities and Rights-of-Way	Design Standards and Construction Procedures	Install Accessible Features in all Newly Constructed or Altered Public Rights-of-Way and Facilities	28 CFR 35.150(b) 28 CFR 35.151(a)(1) 28 CFR 35.151(b)(1) 28 CFR 35.151(i)	49 CFR 27.75	PROWAG Adoption Memo	X			No deficiency identified	Add a link to PROWAG in the MDT Manuals, Guidelines and Catalogs webpage.	Create a documented procedure for conducting regular ADA compliance reviews during project design and during and after project construction.
					ADA Standard Details					No suggestion.	
					Guidelines for Nomination and Development of Pavement Projects					Update Chapter 18 to comply with PROWAG (e.g. 18.1 addresses ADAAG, this should now be PROWAG).	
					Road Design Manual					Update the statement to reference PROWAG instead of ADAAG.	
					Statement of Technical Infeasibility					No suggestion.	
					Montana Rest Area Plan					Include reference to ADA requirements as part of review process between MDT and the developer.	
					State Management Plan						
Guide to the System Impact Process											
Inventories	Develop a Curb Ramp Inventory	28 CFR 35.150(d)(2)	49 CFR 27.11(c)(2)	MDT Curb Ramp Geodatabase			X	Incomplete inventory	Complete the curb ramp inventory.	Develop platform(s) for monitoring accessibility related data. Use database(s) to improve compliance efforts and monitor progress. Coordinate with sub-recipients on data collection efforts if applicable.	
	Develop Inventories for Other ADA Related Features within Public Rights-of-Way	28 CFR 35.105(a) 28 CFR 35.130(a) 28 CFR 35.150(a) 28 CFR 35.151(i)	49 CFR 27.11(c)(2)	n/a		X		Inventory not yet initiated	Conduct inventory on other pedestrian facilities contained within the right-of-way (e.g. sidewalks, accessible pedestrian signal [APS] systems, pedestrian underpasses & overpasses, etc.).		
	Develop Inventories for Facilities	28 CFR 35.150(d)(2)	49 CFR 27.11(c)(2)	Facilities Inventory for Rest Areas and MCS Scale Sites			X	Incomplete inventory	Conduct inventory of other facilities including office buildings and maintenance facilities.		
Address Barriers	Address Barriers at Existing Facilities	28 CFR 35.105(a) 28 CFR 35.130(a) 28 CFR 35.149 28 CFR 35.150(a)(b) 28 CFR 35.151(i)	49 CFR 27.11(c)(2)	n/a			X	MDT has been removing existing barriers as part of reconstruction or rehabilitation projects	Identify sources of funding for installing curb ramps/ADA related features. Develop a prioritization process and consider ADA elements when programming projects into the STIP.		
Maintenance	Maintain ADA Facilities and Features in Operable Working Condition	28 CFR 35.133(a)		Maintenance Agreements with Sub-Recipients	X			No deficiency identified	Update maintenance agreements to clarify who is responsible for maintaining accessible features.		
				Maintenance Manual					Update Maintenance manual to contain a procedure for providing and maintaining ADA compliance on altered and new pedestrian facilities. Review new legislation/regulations and update manual as needed.		

Provide regular ADA training to employees whose job often deals with ADA (e.g. maintenance personnel, designers, inspectors, engineers). Offer higher levels of training for these employees. Provide basic ADA training to all employees. Ensure that employees who use or provide auxiliary aids obtain sufficient training and are able to use such aids proficiently.