



U.S. Department  
of Transportation

**Federal Highway  
Administration**

Florida Division

December 16, 2019

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[www.fhwa.dot.gov/fldiv](http://www.fhwa.dot.gov/fldiv)

In Reply Refer To:  
HDA-FL

Mr. Kevin J. Thibault, P.E.  
Secretary of Transportation  
Florida Department of Transportation  
605 Suwannee Street  
Tallahassee, FL 32399-0450

Dear Secretary Thibault:

The Florida Division of the Federal Highway Administration (FHWA) has reviewed and determined that the Florida Department of Transportation (FDOT) Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (504) Transition Plan meets the minimum attributes provided in the Department of Justice ADA Title II regulations, found at 28 CFR 35.150(d). Since 2016, both FDOT and FHWA have conducted reviews of statistically significant samples from the Public Rights of Way (PROW) inventory; the results supporting FDOT's assertion that transition of its pre-ADA pedestrian facilities is substantially complete and that FDOT is effectively integrating accessibility into each program area.

FHWA's determination is conditioned upon continued FDOT compliance with applicable requirements, including but not limited to, conducting and posting for public review annual assessments of the as-built pedestrian environment and programming for repair/remediation those facilities that are not usable by or accessible to those with disabilities. Moreover, while FDOT may discontinue ADA/504 program reports to FHWA, it must still submit complaint and disposition logs; any changes to policies, procedures, or specifications impacting the ADA/504 program; and standard nondiscrimination assurances, when required. Finally, FHWA approval of program plans is based upon available information and should neither be considered permanent nor a certification of legal compliance. FHWA may remove approval if FDOT fails to adhere to the regulations or the terms of the Stewardship and Oversight Agreement.

Allow me to say that we have very much enjoyed working with Mr. Dean Perkins over the years, and more recently with Mr. Brad Bradley, whose technical expertise and commitment to accessibility has already advanced FDOT's ADA/504 program, as well as that of our Caribbean partners at Puerto Rico Highways and Transportation Authority (PRHTA). As always, we are also appreciative of the team in the Transportation Data Analytics Office for ongoing efforts to integrate ADA/504 into the Roadway Characteristics Inventory (RCI) or its equivalent. These important partnerships help to keep FDOT's ADA program highly effective.

Mr. Carey Shepherd is the FHWA Florida Division Civil Rights Officer, responsible for ADA/504 and all other external civil rights programs. He is available to assist with ADA/504 program implementation. Please contact Mr. Shepherd with any questions or concerns. He may be reached 850-553-2206 or [carey.shepherd@dot.gov](mailto:carey.shepherd@dot.gov).

Sincerely,



Jamie Christian, P.E.  
Division Administrator

cc: Mr. Brad Bradley, FDOT  
Mr. Jeremy Fletcher, FDOT  
Mr. Rob Quigley, FDOT  
Ms. Lorraine Moyle, FDOT  
Mr. Michael Klump, FDOT  
Mr. Ed Hutchinson, FDOT