



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF TRANSPORTATION  
LANSING

KIRK T. STEUDLE  
DIRECTOR

July 1, 2010

Mr. John Niemela, Director  
County Road Association of Michigan  
P.O. Box 12067  
Lansing, Michigan 48901-2067

Mr. Christopher Hackbarth  
Legislative Associate  
208 North Capitol Avenue, 1<sup>st</sup> Floor  
Lansing, Michigan 48933-1354

Subject: Minor Modifications to Upgrade an Existing Sidewalk with American Disability Association (ADA) Sidewalk Ramps

Dear Mr. Niemela and Mr. Hackbarth:

A recent policy change has occurred which will give us more flexibility on installation of American Disability Association (ADA) sidewalk ramps. MDOT's Real Estate Division in conjunction with the Federal Highway Administration (FHWA) has determined that a Consent to Construct Sidewalk can be used to upgrade a sidewalk with ADA sidewalk ramps when work is required outside of the existing right-of-way if the amount of encroachment does not increase. In the past, a permanent easement was required. This revision is only valid if there is an existing sidewalk. An agency is still responsible to determine and offer fair market value to the property owner for the Consent to Construct Sidewalk.

If there is no existing sidewalk, a permanent easement to construct the sidewalk and the associated American Disability Association (ADA) sidewalk ramps is required to construct a new sidewalk.

If you have any questions on this policy change, please contact me at (517) 335-2233 or [cadenar@michigan.gov](mailto:cadenar@michigan.gov) or Teresa Vanis of our Real Estate Division at (517) 373-4135 or [vanist@michigan.gov](mailto:vanist@michigan.gov).

  
Local Agency Programs Engineer

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