



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

Headquarters

East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Sent Via E-mail

December 30, 2014

[REDACTED]

[REDACTED]

Re: FTA No. 15-0041

Dear [REDACTED]

This letter responds to your complaint on behalf of [REDACTED] against Washington Metropolitan Area Transit Authority (WMATA) alleging discrimination on the basis of disability. The Federal Transit Administration (FTA) Office of Civil Rights is responsible for ensuring that providers of public transportation comply with the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and the U.S. Department of Transportation's (DOT) implementing regulations at 49 CFR Parts 27, 37, 38, and 39.

In the FTA complaint investigation process, we analyze allegations for possible ADA deficiencies by the transit provider. If deficiencies are identified, they are presented to the transit provider and assistance is offered to correct them within a predetermined timeframe. If FTA cannot resolve apparent violations of the ADA or the DOT ADA regulations by voluntary means, formal enforcement proceedings may be initiated against the transit provider, which may result in the suspension or termination of federal funds. FTA also may refer the matter to the U.S. Department of Justice for enforcement.

Each response is developed based on the specific facts and circumstances at issue. A determination resulting from a review of these facts is not intended to express an opinion as to the overall ADA compliance of that transit provider.

In your complaint, you allege that WMATA is violating the ADA because its Metrorail stations are "poorly illuminated." You indicate that because of low illumination, uneven illumination, and glare in various Metrorail stations, your client is unable to move from ticketing to the railway smoothly, and that she risks running into other passengers, benches, bollards, or posts. You also mention that she has suffered minor injuries and is fearful when she needs to navigate a WMATA station.

We appreciate your reporting this information and have entered the relevant details into our internal tracking system for administrative purposes. Based upon a review of your concerns, however, we find that we are not able to take action on your complaint. Neither the Americans with Disabilities Act Accessibility Guidelines (ADAAG) issued in 1991 or the revised standards issued in 2004

contain specific ambient lighting standards for compliance under the ADA. However, all platforms in stations that are new, altered, or were designated as “key stations” under the ADA are required to have detectable warnings along the platform edge, which consist of truncated domes that contrast with the surrounding pavement and are detectable both by cane and underfoot. While WMATA’s detectable warnings are somewhat different from those required under the ADA, in that the contrasting edge is separate from the field of truncated domes, this arrangement was found to be equivalent in terms of its ability to warn passengers with vision impairments of the platform edge. All key stations have these warnings, as do all stations built after 1990 and all platforms that have since been altered.

If your client’s disability is such that these detectable warnings do not provide adequate warning of the platform edge or she cannot otherwise navigate the stations, ADA complementary paratransit may be an option. Under the ADA, paratransit functions as a “safety net” for people whose disabilities prevent them from using the regular fixed route transit system. You can learn more about WMATA’s MetroAccess paratransit at [http://www.wmata.com/accessibility/metroaccess\\_service/](http://www.wmata.com/accessibility/metroaccess_service/).

For your information, WMATA has publicized that it is in the process of improving the lighting at its underground stations, which may help your client. See [http://www.wmata.com/about\\_metro/news/PressReleaseDetail.cfm?ReleaseID=5619](http://www.wmata.com/about_metro/news/PressReleaseDetail.cfm?ReleaseID=5619).

In conclusion, the record does not support a finding that WMATA has violated specific requirements of the DOT ADA regulations. We are therefore closing your complaint as of the date of this letter and taking no further action. While FTA’s decision in this case is administratively final, it does not prevent you from pursuing this matter privately in the appropriate court of law. If you have any questions, please contact Alana Kuhn at (202) 366-1412 or via e-mail at [alana.kuhn@dot.gov](mailto:alana.kuhn@dot.gov). Any further correspondence should reference FTA Complaint No. 15-0041. Thank you for taking the time to bring your concerns to our attention.

Sincerely,



Dawn Sweet  
Acting Team Leader  
Office of Civil Rights

cc: FTA Region 3