



New Mexico Department of Transportation

Americans with Disabilities Act Statement of Policy

September 20, 2017

POLICY STATEMENT

The New Mexico Department of Transportation (NMDOT) is committed to full compliance with Title II of the Americans with Disabilities Act of 1990, as amended (ADA), Section 504 of the Rehabilitation Act of 1973, as amended (Section 504), and all related regulations, laws, executive orders, and directives.

The ADA prohibits discrimination against qualified individuals with disabilities on the basis of their disability and provides, in part, that qualified individuals with disabilities shall not be excluded from participating in, or be denied the benefits of, any programs, service or activity offered by the NMDOT and that all programs, services and activities, when viewed in their entirety, are readily accessible to and usable by qualified individuals with disabilities.

The purpose of this ADA Statement of Policy is to reaffirm NMDOT's commitment to comply with the ADA and Section 504, and to provide information concerning requests for modifications to ensure safe access to NMDOT's programs, services, and activities; and grievances alleging acts of discrimination due to a disability.

REFERENCES

Title II of the Americans with Disabilities Act of 1990, as amended

Section 504 of the Rehabilitation Act of 1973, as amended

Code of Federal Regulations Title 23

Code of Federal Regulations Title 28, Part 35

Code of Federal Regulations Title 36

Code of Federal Regulations Title 49

NMDOT Standard Drawings for Sidewalks, Drive Pads, and Concrete Median Pavement Pedestrian Access Details (ADA)

NMDOT Website (www.dot.state.nm.us) under the "Doing Business" then "Civil Rights"

STATEMENT OF POLICY OVERVIEW

This Statement of Policy discusses non-discrimination on the basis of disability in NMDOT programs, services, or activities under ADA and Section 504. A program, service, or activity is any NMDOT function administered, operated, or contracted with NMDOT.

The ADA Coordinator is responsible for administering Department-wide compliance with ADA and Section 504, and other state and federal disability discrimination laws. The ADA Coordinator's contact information is on the NMDOT ADA Website.

When multiple policies exist, the ADA Coordinator will evaluate any discrepancies and provide a determination within a reasonable timeframe as to which policies will govern. This Statement of Policy does not address the obligation of NMDOT's programs to comply with the ADA in terms and conditions of employment or the hiring process.

PUBLIC FACILITIES

NMDOT's District Offices and General Office are responsible for ADA accessibility of public facilities. The District Offices and General Office shall collaborate with the ADA Coordinator to prioritize evaluation of public facilities and corrective actions, if needed. Public facilities include:

Pedestrian facilities within the NMDOT ROW; and
Facilities where NMDOT's programs, services, or activities are provided.

MODIFICATION REQUEST

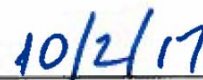
Individuals have a right to request modifications to ensure safe access to programs, services, and activities. A modification request may be made to the ADA Coordinator, as referenced in Section 3 Statement of Policy Overview. Such requests may be made by letter, e-mail, phone call, or by completing the ADA Modification Request Form included on the NMDOT ADA Website. The modification request process is described within Figure 1 of the NMDOT ADA Transition Plan located on the NMDOT ADA Website.

GRIEVANCE

An individual who is dissatisfied with the outcome of his or her modification request, or feels discriminated against in violation of ADA or Section 504, may file a grievance with the Cabinet Secretary or the Cabinet Secretary's designee for further investigation and resolution. Grievances may be submitted by letter, e-mail, phone call, or by completing the ADA Grievance Form included on the ADA Website. The grievance process is described within Figure 2 of the NMDOT ADA Transition Plan located on the NMDOT ADA Website.



Tom Church
Cabinet Secretary
New Mexico Department of Transportation



Date



New Mexico Department of Transportation

ADA Modification Request

Members of the public who seek a modification to a facility, program, service, or activity of the New Mexico Department of Transportation in order to provide an equitable opportunity for an individual with a disability to participate may make such a request directly to the ADA Coordinator. A request may be made by letter, email, or phone call.

Date of Request:	Name of Requestor or Authorized Representative:
Street Address:	
City, State, Zip Code:	
Phone:	Email (if applicable):
Description of Facility, Program, Service, or Activity Involved:	
Specific Location:	
My disability limits my ability to fully participate in the following way:	
Description of Modification(s) Requested:	
Description of how the requested modification will allow you to fully participate:	
I certify, to the best of my knowledge, that this information is complete and accurate. I understand this form must be completed in its entirety and that I may be asked to provide additional information prior to consideration for review. I also understand that modification requests should be made as early as possible because some requests may take longer than others to arrange.	
Printed Name:	Signature:

Attach additional pages as necessary. If you need assistance or have questions about this form, please contact ADA Coordinator at (505) 470-9668. Completed forms may be emailed to NMDOT.ADACoordinator@state.nm.us or mailed to 1570 Pacheco Street, Suite A-10, Santa Fe, NM 87505.