



A Memorandum for District 4
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Pedestrian Ramps in Disrepair

Damaged or otherwise unsafe pedestrian ramps or “curb cuts” are such a common complaint that Manhattan Borough President Gale Brewer commissioned a study in 2014. It found that of 1,209 curb cuts surveyed, only 9.5 percent were accessible as defined by the Americans with Disabilities Act. The rest were entirely missing ramps or were unsafe because they lacked warning bumps, were too steep or crumbling, or led directly into a pothole,¹ to name a few problems. The disrepair of these ramps affects people with disabilities, an estimated one in every nine New Yorkers,² as well as parents pushing strollers or anyone with a shopping cart or suitcase.

Despite the fact that the NYC Department of Transportation budgets \$60 million toward the installation and repair of new pedestrian ramps each year,³ many ramps are still in disrepair for two reasons. First, the Division of Roadway Repair and Maintenance prioritizes repairs where pothole and street resurfacing are needed.⁴ Generally, that has been in areas isolated from the pedestrian community, while pedestrian ramp upgrades

¹"Manhattan Borough President, Gale Brewer." *Manhattan Borough President*. The Office of the Manhattan Borough President, 2017. Web. <http://manhattanbp.nyc.gov/html/policy/accessible-manhattan.shtml>

² De Blasio, Bill. *AccessibleNYC: An Annual Report on the State of People with Disabilities Living in New York City*. Rep. The City of New York, n.d. Web. <http://www.nyc.gov/html/mopd/downloads/pdf/accessiblenyc2017.pdf>

³"Pedestrian Ramps." *NYC DOT*. The City of New York, 2017. Web. <http://www.nyc.gov/html/dot/html/pedestrians/pedramps.shtml>

⁴"Current and Projected Populations." *NYC*. The City of New York, 2016. Web. 16 Aug. 2017. <http://www1.nyc.gov/site/planning/data-maps/nyc-population/current-future-populations.page>

are mainly needed near highly trafficked pedestrian and public transit hubs. Second, many private businesses are not regularly maintaining their curb cuts to ensure that they are still up to standard. The Department of Transportation is responsible for regularly inspecting pedestrian ramps, but is not consistent about holding private businesses accountable when they are not compliant. As a result, many of the areas most in need of effective pedestrian ramps, including areas with senior centers, hospitals, and public social service buildings, have pedestrian ramps that are in substandard conditions.

One way to improve the situation is to pass a City Council bill currently sitting in committee that would increase property owners' responsibility for maintaining pedestrian curb ramps in compliance with the Americans with Disabilities Act (ADA). The bill, Introduction 840, would couple with section 7-210 of the New York City Administrative Code,⁵ passed in 2003, which moved liability for sidewalk maintenance away from the City and onto the relevant property owner.⁶ The Department of Transportation is responsible for installing and inspecting the curb ramps and the property owner must maintain them. If a property owner fails to comply, they are subject to fines and the City may hire a private contractor and bill the property owner. This legislation would allow the City to efficiently repair the pedestrian ramps, so that our sidewalks can be navigable by all residents, without the City having to bear the full cost of such repairs. It also incentivizes property owners to proactively take responsibility for the maintenance of their ramps and perform immediate repairs.

⁵ "New York City Administrative Code Sidewalk Rules." *NYC DOT*. The City of New York, 2017. Web. <http://www.nyc.gov/html/dot/html/infrastructure/19-152.shtml>.

⁶ "File #: Int 0840-2015." *The New York City Council*. N.p., 2015. Web. <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2364112&GUID=77FCCE84-5EB3-4A8A-B53B-5A28F855F293&Options=ID%7CText%7C&Search=>