



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

Headquarters

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

January 7, 2016

Paul J. Wiedefeld
General Manager and Chief Executive Officer
Washington Metropolitan Area Transit Authority
600 5th Street, NW
Washington, DC 20001

FTA Inquiry No. 2016-0058-IN

Re: Between-Car Barriers on WMATA 7000-Series Railcars

Dear Mr. Wiedefeld:

My office has been asked to contact you concerning between-car barriers on the new 7000-series railcars that the Washington Metropolitan Area Transit Authority (WMATA) has procured for use on the Metrorail system. This matter was brought to our attention by a citizen in correspondence addressed to the Office of the Secretary of Transportation, which included photographs showing what appear to be the cab-end between-car barriers (enclosed). The citizen has expressed concern regarding the gap between these barriers, which was estimated at approximately nine inches. This situation creates a safety concern for people who are blind or who have low vision.

The Federal Transit Administration (FTA) Office of Civil Rights is responsible for ensuring that providers of public transportation properly implement Title II of 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.

The DOT ADA regulations at 49 CFR §38.63, regarding between-car barriers for rapid rail vehicles and systems, state:

Suitable devices or systems shall be provided to prevent, deter or warn individuals from inadvertently stepping off the platform between cars. Acceptable solutions include, but are not limited to, pantograph gates, chains, motion detectors or similar devices.

The intent of this provision, which has been a part of the DOT ADA regulations since September 6, 1991, is to require rapid rail systems to obtain suitable devices to assist with and prevent passengers from mistaking the gap between cars for a doorway and potentially falling onto the trackbed. These requirements address the need to mitigate the hazard of a gap created between two or more rail cars operating in a consist. All travelers must have safe, unimpaired access to a rapid rail system. It is important for each rapid rail system to do all it can to ensure the safety of passengers by providing a level of protection from falling between two cars. Upon reviewing the photos supplied by with the citizen's correspondence, we find that we also have concerns the between-car barriers provided may not be adequate to meet this requirement. In addition to the size of the gap, the barriers on the 7000-series cars also appear to be recessed from the side of the car further from the platform than the chains and bars that perform this function throughout the existing WMATA fleet. They may therefore be inadequate to provide the level of detectability needed to prevent, deter or warn passengers with vision disabilities from inadvertently mistaking the gap for an open doorway. For this reason, we request the following from WMATA within 30 days of the date of this letter:

- A written response regarding the adequacy of the cab-end between-car barriers used on the 7000-series cars to prevent, deter or warn passengers, particularly those who are blind or have low vision, from inadvertently stepping off the platform between cars.
- The results of any studies that WMATA has conducted concerning the detectability of the cab-end between-car barriers used on the 7000-series cars by persons who are blind or have low vision, both in consist with each other and with older Metrorail cars.
- Any other information that would assist us in our inquiry.

Please e-mail your response to me at john.day@dot.gov within 30 calendar says of the date of this letter.

If you have any questions regarding this inquiry, please contact John Day at (202) 366-1671 or via e-mail at John.Day@dot.gov. Please include the FTA inquiry number in any correspondence. Thank you for your assistance.

Sincerely,



Linda Ford
Associate Administrator
Office of Civil Rights

Enclosures (3)

cc: Christian T. Kent, Assistant General Manager, Access Services, WMATA
FTA Region III