

Rock Island County Forest Preserve District Other Power Driven Mobility Device Policy

Pursuant to ADA title II regulation published September 14, 2010 agencies are to adopt policies that, and promote that policy to the general public. Every day, more people with limited physical mobility start to use a Segway or similar machines. Pursuant to the new ADA title II regulation published September 14, 2010, this policy was to have been in place by March 15, 2011. These assistive devices provide great benefits to people with disabilities and the sooner the District has a policy in regard to their use the better. The policy could, at a minimum, address times of allowed use (dawn to dusk), speed limits, off-limits areas, status of the user as a person with a disability, and minimum age. It is important to note that a power driven mobility device is not a wheelchair. That device has a separate definition and is already allowed in facilities and parks. The components of a policy are noted below. The District is welcome to use some, all, or none of this, but a policy must be in place. We recommend at least the following statements:

Definition: Other power-driven mobility device (OPDMD) means any mobility device powered by batteries, fuel, or other engines—whether or not designed primarily for use by individuals with mobility disabilities—that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this policy.

Definition: An electronic personal assistive mobility device (EPAMD) is a device used by a person with a mobility impairment for ambulation. This definition does not include gasoline powered devices, golf cars, or riding lawn mowers.

Permission: The Rock Island County Forest Preserve District authorizes persons with mobility impairments to use OPDMDs and EPAMDs in District facilities and sites subject to the following restrictions:

1. The operator of the device must be a person with a mobility impairment, and upon request by District officials, shall produce proof of such within 72 hours;
2. The device, if used in a facility or in a park, is allowed in any area of the facility or park in which the general public is allowed, with the exception of employee only spaces, stairways, and identified hazardous areas;
3. The device, if used in a facility, must be controlled by the operator. It:
 - A. may not exceed 4 mph;
 - B. shall be driven on the right side of the circulation route;
 - C. is prohibited from carrying another person on the frame, or any object on the frame that may make the device less stable; and
 - D. must not be operated in a dangerous or reckless manner that jeopardizes the safety of the operator, District employees, or District participants.
4. The device, if used in a park or outside, must be controlled by the operator. It:

- A. may not be operated between dusk and dawn unless equipped with headlights that are visible at 300'
 - B. may not exceed 6 mph;
 - C. shall not be driven into wet or ecologically sensitive areas which are posted as such;
 - D. shall be driven on the right side of the circulation route;
 - E. is prohibited from carrying another person on the frame, or any object on the frame that may make the device less stable;
 - F. must not be operated in a dangerous or reckless manner that jeopardizes operator safety, District employees, or District participants.
5. The District accepts no responsibility for storage of the device.
 6. The District accepts no liability for damage to the device, or injury to the operator, whether caused by the operator, another visitor to a District facility or site, or any other circumstance.
 7. The District accepts no liability for damage caused by the operator of the device, or injury to others caused by the operator of the device.
 8. The District reserves the right to suspend the use of facilities or sites by the operator if doing so is in the best interests of the District and its participants.
 9. The District reserves the right to change, modify, or amend this policy at any time, as it would any other policy.