

# CANNON VALLEY TRAIL OPDMD POLICY

---

## What IS an OPDMD?

An “other power-driven mobility device” (OPDMD) is defined in the rules as: "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. Wheelchairs are not considered OPDMD in this policy.

In short, an OPDMD is anything with a motor that can be driven, regardless of size or horsepower, designed to transport a single individual with a disability as a substitute for walking if it is driven by the person who has a mobility related disability.

## Use of OPDM Devices on the Cannon Valley Trail:

The Cannon Valley Trail Joint Powers Board has reviewed these rules and made a determination of which OPDM Devices are allowed on the Cannon Valley Trail. Determining factors include safety to the operator of the OPDMD, safety of other trail users, impact and safety of the environment and the impact on the high quality experience that the Cannon Valley Trail works to provide.

Approved OPDMDs are:

- EPAMD (e.g., Segways®),
- electric-assisted bicycles,
- electric powered scooters

## These OPDMDs must also meet the following Safety Requirements and Criteria:

1. Width: Wheelbase width of the OPDMD must not exceed 36” to allow passage of pedestrians and others without going off trail.
2. Length: Able to maneuver around corner radius without going off trail.
3. Weight: Must not cause displacement of trail material due to weight, including the weight of the OPDMD and passenger.
4. Power Source: Noncombustible motor with a maximum noise level not to exceed 55 decibels. And does not exceed 1,000 watts or 1 HP. No fuel powered engines are allowed.
5. Maneuverability: Capable of adapting to diverse trail conditions, including but not limited to increase/decrease in grade/slope; changes in topography; variable surfaces.
6. All other established Rules and Regulations for the Cannon Valley Trail apply to the use of OPDMDs.

7. OPDMD must stay on designated trails or bikeways at all times. Exceptions can be made when crossing turf areas to leave or rejoin a trail as necessary.
8. At no time shall the OPDMD impact natural ecosystems, cause damage to the trail, turf or property, be a detriment to historical or cultural features, or negatively impact other users of the property or neighboring property by physical contact or noise.

**Use of OPDMD on the Cannon Valley Trail will be limited to:**

1. An individual with a mobility disability may use an OPDMD on any paved or crushed fines trail, observation platform, overlooks, shade or picnic shelter provided that it is operated at a speed that does not exceed the recommended 15 mph speed limit.
2. The OPDMD operator must not use or operate such a device at area in which if the use of the device causes damage to the trail or facilities. The Trail Manager reserves the right to temporarily suspend the use of trails or facilities based on current conditions that may affect the safety of the OPDMD user or other members of the public and/or harm to the immediate environment or natural or cultural resources, such as weather, trail conditions and volume of pedestrian traffic.
3. OPDMDs may not be used off trail except in designated rest areas, observation platforms and picnic areas. Individuals with mobility disabilities should carefully consider whether their mobility device can safely operate given the existing conditions.
4. OPDMDs are not permitted in archeological areas, ruins or other sensitive historic or cultural areas.
5. Facility Amenities or Lack Thereof: the Cannon Valley Trail has long sections of trail that do not provide any amenities or services, including rest rooms and cell phone service. OPDMD battery life and/or needs of the operator should be considered prior to entering the trail.
6. Use of OPDMDs on the Cannon Valley Trail properties must be in a safe manner and is at the risk of the user.
  - a. The Cannon Valley Trail does not accept liability for damage to the OPDMD, or injury to the operator, whether caused by the operator, another visitor to trail, or any other circumstance.
  - b. The Cannon Valley Trail does not accept liability for damage caused by the operator of the OPDMD, or injury to others caused by the operator of such device.
7. Additional use and safety requirements that apply to OPDMDs used on the Cannon Valley Trail
  - a. OPDMD user must yield to other non-powered users of the trail.
  - b. The person operating the OPDMD cannot carry another person.
  - c. No OPDMD shall be operated while the operator is under the influence of alcohol, drugs or any other intoxicating substance.
  - d. The OPDMD must not be operated in a dangerous or reckless manner that jeopardizes the safety of the operator, trail employees, or other persons.
  - e. The Cannon Valley Trail does not provide storage for any OPDMD.

## **OPDMD Devices not allowed (exceptions need to be approved by the CVT JPB) ON the Cannon Valley Trail:**

**ATVs, golf carts, or other power-driven mobility devices**, except as described above, are not recognized as appropriate devices for the Cannon Valley Trail for the following reasons:

- The trail is known to have a high volume of users and has two-way traffic areas.
- The concern of these devices is staying below the recommended trail speed limit of 15 MPH.
- A width restriction allows for safe passing of other OPDMDs, bicycles and pedestrians two-way traffic without causing users to venture off-trail at risk of personal injury and harm to natural resources.
- The unrealistic administrative burden on trail staff to identify safety features, size and speed of each device upon entry, including any form of assessment of rider abilities
- Engine noise and exhaust odors can produce a significant disturbance to native wildlife and can negatively impact the health of other trail users which would affect the overall trail atmosphere

### **Internal Combustion Devices**

The Cannon Valley Trail possesses significant natural topographical features and ecological resources that are managed to support a wide range of plant and animal communities in harmony with public recreation. These devices may present a substantial risk of harm to operators, visitors, and the immediate environment due to their internal combustion engines and relatively large dimensions, weight, driving range and/or horsepower. Additional risks posed by gas-powered devices include:

- Volatile fuels present a risk of fire created by ignition systems and the heat of engine combustion.
- Fuel tanks may leak or fuel may spill during refueling. Fuel leaks damage the environment and may cause fire.
- Engine noise can produce a significant zone of disturbance to native wildlife and can negatively impact overall trail atmosphere. Noise presents a health risk to park users when it exceeds 70dB, which the World Health Organization has set as a maximum safe noise level in the work place. Many gas-powered devices, such as ATV and motor bikes, have the capacity to routinely exceed this threshold level under otherwise normal operating conditions.
- Under certain conditions, the exhaust of small internal combustion engines may pose an air quality risk for park visitors and employees.

### **Determination of Need to use an OPDMD:**

Trail employees may ask if the use of the device is required because of a disability.

- An employee will accept the presentation of a valid, state-issued disability parking placard or other state or federal-issued proof that the OPDMD is needed for the individual's mobility disability.
- In lieu of a state/federal-issued proof of disability, OPRHP shall accept a verbal representation, not contradicted by observable fact, that the OPDMD is being used for a mobility disability.

The Trail employee shall not ask an individual using a wheelchair or OPDMD questions about the nature or extent of the individual's disability.

The Cannon Valley Trail Joint Powers Board reserves the right to change, modify, or amend this policy at any time, as it would any other policy.