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Use of “Electronic Personal Assistance Mobility Devices (“EPAMDs”) on City Parks, Hard Surface Trails, and Outdoor Recreation Facilities

The City of Fort Collins Parks Division (“Parks Division”) has taken into consideration the use of other power-driven mobility devices as that term is defined in 28 Code of Federal Regulations section 35.104 and factors such as impacts on other users, the safety of other users, impacts on property and infrastructure, and the noise level of such devices. The Parks Division has determined that it will permit the use of electronic personal assistance mobility devices (“EPAMDs”), as defined below, on City parks, hard surface trails and outdoor recreation facilities, and has developed this policy as described below.

1. **Definition:** An electronic personal assistance mobility device (EPAMD) is a device used by a person with a mobility disability. This definition does **not** include gasoline powered devices or vehicles, golf cars, or riding lawn mowers. This definition is restricted to a device with the following specifications:


- a) must not exceed more than one-half the width of any trail, path or sidewalk on which a device is being used; and
- b) must not weigh more than 500 pounds; and
- c) must be designed to travel on two or more low-pressure tires; and
- d) must operate by electric powered engine with a maximum decibel level of 55 or less.

2. **Permission:** The Parks Division authorizes persons with mobility impairments to use EPAMDs at City parks, hard surface trails and outdoor recreation facilities, subject to the following restrictions:

1. The operator of the EPAMD must be a person with a mobility impairment, and proof of such impairment may be requested by Parks Division personnel in accordance with ADA regulation;
2. The EPAMD is allowed only in areas of the park, hard surface trail or facility in which the general public is allowed;
3. The EPAMD operator must not use or operate such a device on a park, hard surface trail or outdoor facility if use of the device causes damage to the trail/path/sidewalk, the park grounds or infrastructure, or facilities.
4. No driver or operator of an EPAMD shall be intoxicated.
5. The EPAMD:

- A. must not be operated between dusk and dawn;
 - B. must not be driven into wet or ecologically sensitive or hazardous areas which are posted as prohibited areas by the Park Division;
 - C. is prohibited from carrying another person on the frame, or any object on the frame that may make the EPAMD unstable;
 - D. must not be operated in a dangerous or reckless manner or at speeds that jeopardize the safety of the operator, or other persons.
- 6. Persons accompanying a person with a mobility disability and using an EPAMD but who do not themselves have a mobility disability are not permitted to use an EPAMD; and
 - 7. Neither the Division nor the City of Fort Collins accept responsibility for storage of the EPAMD.
 - 8. Neither the Division nor the City of Fort Collins accept liability for damage to the EPAMD, or injury to the operator, whether caused by the operator, another visitor to a Division facility or site, or any other circumstance.
 - 9. Neither the Division nor the City of Fort Collins accept liability for damage caused by the operator of the device, or injury to others caused by the operator of the device.
 - 10. The Division reserves the right to suspend the use of facilities or sites by the EPAMD operator if doing so is in the best interests of the Division and its participants.
 - 11. The Division reserves the right to change, modify, or amend this policy at any time, as it would any other policy.

Approved by:


Martin Heffernan, Director of Culture, Parks, Recreation and Environment

Date: March 15, 2011