

From: [Bell, Tammi \[DOT\]](#)
To: [Nordholm, Gail \[DOT\]](#)
Subject: Webinar on Understanding the New ADA Other Power - Driven Mobility Devices
Date: Tuesday, February 22, 2011 8:31:19 AM

TO: County Engineers, City Representatives, and Consultants

CC: District Local Systems Engineers, Service Bureau,
Craig Markley, and Office of Local Systems

FROM: Office of Local Systems

SUBJECT: Webinar on Understanding the New ADA Other Power-Driven Mobility
Devices

DATE: February 22, 2011

The following is being sent on behalf of Craig Markley, Office of Systems Planning. If you have any questions, **please do not reply to this note**. Instead, you may contact the person shown below.

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Join us for this important webinar on February 23, 2011:

Learn more about DOJ rule on “other power-driven mobility devices” that will be allowed on trails

[*View this webinar alert as a webpage](#)

If you manage trails, parks, or other public facilities, this rule applies to you.

The webinar will address the portion of the new Department of Justice (DOJ) Regulation under the Americans with Disabilities Act (ADA) dealing with mobility devices that goes into effect on March

15, 2011. We will cover what the rule requires from the perspective of trail managers proactively encouraging the use of appropriate mobility devices, while protecting all trail users and the natural resource from inappropriate use of vehicles.

Individuals with mobility disabilities may go on a trail utilizing "other power-driven mobility devices" (OPDMD), regardless of size or horsepower, UNLESS the land manager has documented that it has completed an assessment of the trail, route, or area using the DOJ assessment factors, and as the result has determined that such use is not allowed.

How should trail managers address what could potentially be disruptive new use of motor vehicles on trails? At the same time, how can we encourage appropriate access to our trails by persons with disabilities? [See Alert from American Trails...](#)

WEBINAR DETAILS

Date: Wednesday, February 23, 2011

Time: 2:00 – 3:00 p.m. (Eastern); 11:00 a.m. – Noon (Pacific)

Format: 30 minute presentation; 30 minutes of Q & A session

Moderator: Stuart Macdonald, National Trails Training Partnership (NTP) Manager, American Trails

Presenter: Janet Zeller, U.S. Forest Service National Accessibility Program Manager

We'll cover the most relevant issues:

- Applying the DOJ rule to state, local, private, and federal lands
- Understanding potential use of ATVs and other motor vehicles
- Applying the DOJ assessments to specific trails
- Informing trail users and providing public notice

How to participate in the webinar on "other power-driven mobility devices:"

Step 1: Get clear on the concept: download the [text of key sections of the DOJ rule...](#)

Step 2: Read the discussion on what the DOJ rule means for trail managers: [questions and answers on DOJ rule for "other power-driven mobility devices"...](#)

Step 3: Space is limited. Reserve your webinar seat now at:

<https://www3.gotomeeting.com/register/811474118>.

PLEASE NOTE: The dial-in audio number is a Toll number (not a Toll-Free number). You will incur long-distance charges, if you dial-in for audio.

Remember: *This webinar is intended to clarify a new federal agency ruling based on general observations and questions from land managers. It should not be construed as legal advice, agency policy, or official guidance. American Trails cannot guarantee the accuracy, relevance, timeliness, or completeness of this information.*

The requirements in the rule take effect on March 15, 2011.

That is the date visitors may expect to begin using various classes of OPDMDs unless after assessing the trail for use by various classes of OPDMDs it has been determined that specific use of a class or classes of those devices meets one or more of the Assessment Factors listed in the DOJ rule.

This DOJ ruling applies to any place, indoors or outdoors, that is open to the public.

Under the American with Disabilities Act (ADA) Title II this DOJ rule applies to trails on State or local government lands. Also under the ADA Title III it applies to other "public accommodations" that would include trails open to the public on privately or commercially managed lands. Federal agency managed lands are not directly covered under the ADA; however this rule sets legal precedents the Federal agencies will be watching.

Any vehicle can be considered an "other power-driven mobility device."

An OPDMD is defined 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 carts, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT..."

Anyone with a mobility disability is to be allowed to use an OPDMD.

The DOJ rules say that a person using an other power-driven mobility device may be asked to

provide a "credible assurance" that the mobility device is required because of the person's disability.

Craig Markley, Director
Office of Systems Planning
Dept. of Transportation
515-239-1027
Craig.Markley@dot.iowa.gov

Some of the documents referenced above are in Adobe Acrobat's Portable Document Format (PDF). If you do not have the Adobe Acrobat Reader software, you can download it free of charge at:

<http://www.adobe.com/products/acrobat/readstep.html>.

Mailings are available at the Office of Local Systems Weekly Mailings web page at:

http://www.iowadot.gov/local_systems/mailing/main_mailing.htm