

AREA ASSESSMENT and POLICY REGARDING  
OPDMD AND SAFE USE OF TRAILS

Black Hawk County Conservation Board (BHCCB) is dedicated to providing all citizens of Black Hawk County and its visitor's safe recreational opportunities while preserving the natural integrity of the areas. In accordance with the Department of Justice rule regarding "Other Power Driven Mobility Device" (OPDMD) use on trail and all areas where foot travel is allowed, BHCCB has assessed its areas and adopted the following policy.

All devices that meet the definition of "Wheelchair" MUST be allowed wherever foot travel is allowed. Definition of a wheelchair is; A manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion. (ADA Title II, Part 35.104 and ADA Title III, Part 36)

OPDMD's are allowed only in areas defined in the assessment and by registration application only. Approved registrations will be valid for a period of time not to exceed one (1) year and can be annually renewed.

The following Department of Justice (DOJ) Assessment Factors were used in this assessment process;

- A. "The type, size, weight, dimensions, and speed of the device;
- B. The volume of pedestrian traffic (which may vary at different times of the day, week, month or year.
- C. The design and operational characteristics (e.g., whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user)
- D. Whether legitimate safety requirements can be established to permit the safe operation of the OPDMD in the specific facility, and
- E. Whether the use of the OPDMD creates a substantial risk of serious harm to the immediate environment or natural or cultural resources, or poses a conflict with Federal land management laws and regulations.

While an area may be assessed to allow OPDMD's, some requests may be limited due to any one or all of the following;

1. Weight / Size of the OPDMD requested to use.
2. Current area / trail conditions. (Wet, under construction, occurring maintenance)
3. Speed potential of the OPDMD requested to use.
4. When the OPDMD requested to use would create safety hazards to other area / trail users.
5. OPDMD use may be limited during special events.

**GUIDELINES FOR USE OF OPDMD WITH REGISTRATION**

1. Registrant shall not use the OPDMD in a manner that abuses the resources.
2. Registrant is allowed to use only the OPDMD that is listed on the registration.
3. No person/persons other than the registrant is allowed to use the OPDMD.
4. All operators of OPDMD's must meet state requirements and follow all state laws related to the type of OPDMD being used.

Registration Applications can be downloaded from the Black Hawk County Conservation Board website at: [www.blackhawkcounyparks.com](http://www.blackhawkcounyparks.com). This form is located under the "Publications" drop down box.

Mail Completed applications to:

**Black Hawk County Conservation Board**  
1346 W. Airline Hwy.  
Waterloo, IA 50703  
(319) 433-7275



BHCCB staff has the authority to grant or refuse request with cause, furthermore, any Registration can be revoked if said user is found to be disobeying any of the guidelines / conditions set forth in this policy and the OPDMD Registration.