

June 27, 2011

Park Directive 3250

DEPARTMENT OF JUSTICE (DOJ) ADA REGULATION
ON MOBILITY DEVICES

The Department of Justice amended its regulation implementing Title II of the Americans with Disabilities Act (ADA) to increase access to public facilities and programs by people with mobility impairments. This policy directive is in response to the federal rule, addressing the use of wheelchairs, manually powered mobility aids, and other power-driven mobility devices (reference DOJ, Title II, 28 CFR. Part 35 [CRT Docket No. 105; AG Order No. 3180-2010]).

- I. A. Use of wheelchairs and manually powered mobility aids.** Individuals with mobility disabilities are permitted to use wheelchairs and manually-powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use. Disability documentation is not required. (Reference §35.137 (Title II) and §36.331 (Title III) Mobility devices).
- B. A wheelchair** is defined as 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 both indoor and outdoor locomotion. (Reference §35.104 and §36.104 – Definitions).
- II. Use of other power-driven mobility devices (OPDMD).** Other power-driven mobility device 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 carts, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes. OPDMD's are not wheelchairs (Reference §35.104 and §36.104 – Definitions).
- III.** Arkansas State Parks has completed an assessment of facilities, programs, safety factors, visitor risks, and environmental impacts on state parks natural, cultural and historical resources. Based on the assessment, OPDMD's types will be limited to Segway® PT, Mobility Scooters or similar size and type devices. These devices will be

allowed in public access buildings and designated trails as follows (note: all-terrain vehicles, recreational off highway vehicles and golf carts are prohibited, unless noted):

Arkansas Museum of Natural Resources	Oil Field Exhibit Trail
Bull Shoals-White River State Park	Visitor Center Trail
Bull Shoals-White River State Park	Gaston Wildflower Garden Trail
Cane Creek State Park	Cane Creek Lake Trail
Cane Creek State Park	Delta View Trail
Cossatot River State Park – Natural Area	Water Leaf Interpretive Trail
Crater of Diamonds State Park	River Trail
Crowley’s Ridge State Park	Lake Ponder Trail
Crowley’s Ridge State Park	Spider Creek Trail
Crowley’s Ridge State Park	Walcott Lake Trail
Daisy State Park	Bear Creek Trail *
Davidsonville Historic State Park	Historic Townsite Trail
Davidsonville Historic State Park	Black River Trail
Davidsonville Historic State Park	Trappers Lake Trail
DeGray Lake Resort State Park	Green Heron Trail
Delta Heritage Trail	Delta Heritage Trail
Devil’s Den State Park	Woody Plant Trail
Devil’s Den State Park	Lee Creek Trail
Devil’s Den State Park	Cross Country Mountain Bike Trail
Hobbs State Park-Conservation Area	Historic Van Winkle Trail
Hobbs State Park-Conservation Area	Ozark Plateau Trail
Jacksonport State Park	Tunstall River Walk Trail
Lake Charles State Park	Mockernut Trail
Lake Charles State Park	White Oak Lake Trail
Lake Charles State Park	Butterflies and Blooms
Lake Charles State Park	Cedar Trail
Lake Chicot	Delta Woodlands Trail
Lake Frierson State Park	Dogwood Lane Trail

Lake Poinsett State Park

Louisiana Purchase State Park

Mammoth Spring State Park

Millwood State Park

Moro Bay State Park

Mount Magazine State Park

Mount Magazine State Park

Mount Magazine State Park

Mount Magazine State Park

Mount Magazine State Park

Mount Magazine State Park

Mount Nebo State Park

Parkin Archeological State Park

Petit Jean State Park

Pinnacle Mountain State Park

Pinnacle Mountain State Park

Prairie Grove Battlefield State Park

Queen Wilhelmina State Park

Toltec Mounds Archeological State Park

Toltec Mounds Archeological State Park

Village Creek State Park

Village Creek State Park

Village Creek State Park

Village Creek State Park

Village Creek State Park

White Oak Lake State Park

White Oak Lake State Park

Withrow Springs State Park

Blue Heron Trail

Louisiana Purchase

Boardwalk

Spring Lake Trail

Wildlife Lane

Low Water Trail

Signal Hill Trail

Greenfield Trail

Benefield Trail

Mossback Ridge Trail

Will Apple's Road

Huckleberry Mountain

Horse Trail *

Bench Trail

Village Trail

CCC Trail

Arkansas Arboretum Trail

Kingfisher Trail

Battlefield Trail

Spring Trail

Knapp Trail

The Plum Bayou Trail

Village Creek Multi-use
Trails

Lake Dunn Trail

Arboretum Trail

Center Ridge Trail

Lake Trail

Beech Ridge Trail

Fern Hollow Trail

Forest Trail

(* Note: ATV's and OHV's are allowed)

- IV. Disability Identification.** An individual with a mobility disability using an OPDMD must have:
- A valid, State-issued, disability parking placard or card, or other State-issued proof of disability, as a credible assurance that the use of the other power-driven mobility device is for the individual's mobility disability.
 - In lieu of a valid, State-issued disability parking placard, a credible verbal assurance will be accepted.
 - Staff shall not ask an individual using a wheelchair or OPDMD questions about the nature and extent of the individual's disability.

V. OPDMD Speed Limit

OPDMD's shall not exceed five (5) miles per hour.

APPROVED BY: _____
GREG BUTTS, DIRECTOR
Arkansas State Parks