



Other Power-Driven Mobility Device Policy

People with mobility, circulatory, or respiratory disabilities use a variety of devices for mobility. Some use walkers, canes, crutches, or braces while others use manual or power wheelchairs or electric scooters, all of which are primarily designed for use by people with disabilities. SMART will allow people with disabilities who use these devices into all areas where the public is allowed to go.

SMART will allow persons with disabilities who use OPDMD into facilities, at events, and on trains unless a particular type of device cannot be accommodated because of legitimate safety requirements. Where legitimate safety requirements bar accommodation for a particular type of device, SMART will attempt to accommodate the requestor in an alternate way if possible. This Policy applies under the ADA when an OPDMD is being used by a person with a mobility disability, rather than when it is being used by a person without a disability.

To ensure that OPDMD operation does not pose significant safety risks or fundamentally alter the nature of services, programs, and activities provided by SMART, all OPDMDs operated in SMART facilities, at events, and on trains must meet the standards below.

Other Power-Driven Mobility Device (OPDMD) Defined

Other Power-Driven Mobility Device (OPDMD) is defined by the Department of Justice as any mobility device powered by batteries, fuel, or other engines that is used by persons with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair.

Electric-powered mobility devices include: any non-wheelchair mobility device powered by batteries, including multiple passenger carts (three or four wheels), electronic personal assistance mobility devices (such as the Segway® PT), electric powered bicycles, (two or three wheels) and single passenger scooters and electric powered scooters (two, three, or four wheels).

Gas-powered mobility devices include: any mobility device powered by a gas-fueled engine using natural gas, gasoline, diesel, synthetic or biofuel or combination thereof, including all-terrain vehicles, carts (three or four wheels), off-road bikes (two or three wheels), motor scooters (two or three wheels), motorcycles (two wheels), tractors and vehicles (four wheels).

General Conditions

1. **Gas Powered OPDMDs Restricted.** Only manually or battery/electricity operated devices are permitted indoors, at events, on trains. The use of gas or other fuel powered mobility devices in these areas is prohibited.
 - a. The exclusion of gas-powered mobility devices, as compared to electric-powered mobility devices, is due to the substantial risk of serious harm to the immediate environment from the fire danger created by the heat of the gas-fired engine. Engine noise of gas-powered vehicles produces a significant zone of disturbance and can negatively impact riders with a variety of disabilities. Carbon monoxide emissions pose a risk indoors and in other closed environments.
2. **Speed Limit.** No person shall operate an OPDMD at a speed in excess of the typical walking speed, not to exceed 5 miles per hour. Notwithstanding the above speed limit, no person shall operate an OPDMD at a speed greater than is reasonable or prudent having due regard for sightlines, traffic, and the surface and width of a path of travel, or at a speed which endangers the safety of persons or property.
3. **Operation.** A person must be of legal age to operate the specific OPDMD, as prescribed by federal and state law. A person using an OPDMD must yield the right of way to pedestrians and persons using wheelchairs. An OPDMD may not transport more than the number of persons for which it was designed. The operator is responsible for any adverse impact to the environment or infrastructure.

SMART Facilities and Grounds

1. **Size.** OPDMDs shall not be wider than 36". This size restriction does not apply to OPDMD use on SMART's Multi-use Pathways or Non-motorized Pathways.
2. **Areas of Authorized Use.** OPDMDs are authorized on/in:
 - a. Paths of travel (e.g., sidewalks, driveways, parking lots, ramps, and restrooms).
 - b. Electric powered bicycles, scooters, and similar devices are authorized where such devices are allowed including bicycle lanes.
3. **Restrictions and Limitations.** OPDMDs are not authorized on/in:
 - a. **Closed/Restricted Areas.** OPDMDs are not permitted in areas that are closed or restricted to the general public.
 - b. **Special Events.** SMART reserves the right to restrict OPDMD use during special events or during times of heavy traffic on SMART pathways or facilities, if such limitation is required to protect the public health, safety, and welfare of citizens.

Due to the variety of OPDMDs available and the fact that most facilities were not designed for such use, visitors with disabilities should use their judgment in assessing the practicality of using their device on a particular area. Due to slope, surface condition, or many other factors OPDMD use may be physically impossible or unsafe even when allowed.

On Trains:

1. **Size.** Only OPDMDs with a footprint equal to or less than a wheelchair which are able to fit into the space provided on trains for wheelchairs will be allowed on SMART trains. The OPDMD cannot be wider than 30 inches at its widest point and cannot be longer than 48 inches at its longest point.
2. **Boarding.** Passengers may not be allowed to ride the OPDMD when boarding or de-boarding, depending on the type of device and current conditions at the station.
3. **In Transit.** While being transported, the OPDMD must be powered down and secured within the wheelchair securement area of the train vehicle. Passengers may not be allowed to stand on the OPDMD within the securement area and while the device is being transported if doing so would pose a safety or security threat to the individual, the public or property.

Credible Assurance

SMART staff will not ask individuals using such devices about their disability but may ask for a credible assurance that the device is required because of a disability. If the person presents a valid, State-issued disability parking placard or card or a State-issued proof of disability, that must be accepted as credible assurance on its face. If the person does not have this documentation, but states verbally that the device is being used because of a mobility disability, that also must be accepted as credible assurance, unless the person is observed doing something that contradicts the assurance. Credible assurance can be requested prior to an individual using an OPDMD to enter SMART facilities or boarding trains.

Requests for Modifications to OPDMD Policy

It is the policy of SMART to consider requests for special accommodation made by individuals with disabilities who wish to utilize OPDMD that do not meet the criteria listed above, and/or in an area not previously authorized for use. Such requests will be considered on a case-by-case basis. Requests can be submitted to the SMART ADA Coordinator at:

SMART District – Administrative Offices

Attn: SMART ADA Coordinator

5401 Old Redwood Highway, Suite 200

Petaluma, CA 94954

Email: info@sonomamarintrain.org

Phone: (707)794-3330

Dial 711 for CA Relay

Fax: (707) 794-3062