

DRAFT

Recommendation to the Helena City Commission:

The Helena ADA Compliance Committee has discussed the issue of accessibility to the Helena trail system and recommends that electronic assist devices be allowed to ascend the Helena city-owned trail system except where otherwise prohibited and that the city coordinate with producers of available trail maps to indicate trails with those restrictions. Electronic assist devices include devices such as: electronic wheelchairs, scooters, and similar devices intended to assist individuals with mobility impairments and pedal assist e-bikes; it does not include throttle-controlled bikes or vehicles designed for recreational uses.

Explanation:

The ADA defines disability as “A physical or mental impairment that substantially limits one or more major life activities.” The ADA act requires that public entities provide reasonable accommodation to individuals with disabilities to access services and activities this includes the Helena trail system.

Allowing the use of electronic assist devices allows individuals that have a desire to utilize the trail systems but have impairments that prohibit or limit their ability to ascend the city’s trail system. Speaking to electronic assist bikes, the electronic assist is an accommodation when riding a rising grade but is not viewed as necessary accommodation when riding a descending grade. Bikes on the trail systems pose a far greater hazard to other trail users in when traveling downhill. This recommendation places a responsibility of e-bike users to turn off the assist mode when traveling downhill.

City Open Lands, Parks, and Recreation staff indicate there are some trails that may have title or other restrictions for use of such devices. This recommendation respects those limitations and informs trail users of the trails with restrictions.