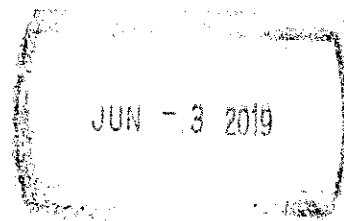




REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT, CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833



CEMVS-OD

MEMORANDUM FOR MANAGERS AND RANGERS

SUBJECT: Commander's Policy for Use of Other Power-Driven Mobility Devices on St. Louis District Property

1. Reference.

- a. Code of Federal Regulations, Title 36, Parks, Forest and Public Property, May 2000
- b. Code of Federal Regulations, Title 49, Transportation, Chapter V. National Highway Traffic Safety Administration, Department of Transportation, Part 571, Section 571.500
- c. Federal Register/Vol. 63, No. 116/Wednesday, June 17, 1998/ Rules and Regulations, 33913 (63 FR 33913)
- d. Illinois Compiled Statutes, Chapter 625, Vehicles, Part 5, Illinois Vehicle Code
- e. Revised Statutes of Missouri, Chapter 304, Traffic Regulations
- f. Revised Statutes of Missouri, Chapter 301, Registration and Licensing of Motor Vehicles, section 301.010, August 2018
- g. CEMVS-OD Memorandum, Subject: Summary of Relevant Laws and Regulations Regarding use of Off-road Vehicles, Off-road Motorcycles, Low-speed Vehicles, Golf Carts, and Other Similar Vehicles

2. Purpose.

The purpose of this memorandum is to establish the policy for use of Other Power-Driven Mobility Devices (OPDMD) on St. Louis District (USACE-MVS) Property.

3. Background.

36 C.F.R. §327.2(h) states that vehicles shall be operated in accordance with applicable Federal, State and local laws. Federal, State and local laws have been amended to allow the operation of off-road vehicles, off-highway motorcycles, low-speed vehicles, golf carts, or other similar vehicles on public streets, roads, and highways.

4. District Policy

The following guidelines shall direct the use of OPDMDs on USACE-MVS property:

- a. Other Power-Driven Mobility Devices: 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, such as the Segway PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of Title 28 C.F.R. §36.104.

1) Operation of OPDMDs are prohibited on USACE-MVS Property, except when all of the following are met:

- I. At a minimum, it has the following operational parts:
 - a. Brakes
 - b. Steering apparatus
 - c. Tires
 - d. Rearview mirror
 - e. Red reflectorized warning devices in the front and the rear
 - f. A "slow moving" emblem on the rear of the OPDMD or a bicycle safety flag, which extends not less than seven feet above the ground, is reflective for 300-yards, and attached to the rear of the OPDMD
 - g. A headlight that emits a white light visible from a distance of 500 feet to the front
 - h. A tail lamp that emits a red light visible from at least 100 feet from the rear
 - i. Brake lights
 - j. Turn signals
- II. The person operating the OPDMD has a valid driver's license issued in his or her name by the Secretary of State or by a foreign jurisdiction.
- III. The OPDMD shall be operated in accordance with manufacturers recommendations.
- IV. The OPDMD has liability insurance

- a. The operator of the OPDMD shall provide proof of liability insurance for the operation of the OPDMD on public roadways.
 - b. Most homeowner's insurance policies do not cover OPDMD operations on public roadways. The operator shall provide written proof that the OPDMD has liability insurance for operations on public roadways. Presentation of a homeowner's insurance policy that does not specifically state that the policy covers OPDMD operations on public roadways will not be accepted as proof of liability insurance.
- V. The operator provides credible assurance that the mobility device is required because of his/her disability
 - a. The presentation of a valid, State-issued, disability parking placard or card, or other State-issued proof of disability constitutes credible assurance.
 - b. Presentation of a valid America the Beautiful Access Pass or Golden Access Passport or similar pass is not sufficient credible assurance.
- VI. The operator obtains a special use permit in person at the field office of the project for which the permit is requested, presents all required documentation and the OPDMD for inspection.
 - a. Special use permits may be issued only to the individual that will be using the OPDMD, and must be kept with the OPDMD at all times.
 - b. Special use permits may be issued for up to one calendar year ending in December, and must be renewed annually.
 - c. Only one OPDMD will be allowed per camp site.
- VII. OPDMDs operated on USACE-MVS property shall only be operated on streets where the posted speed limit is 20 miles per hour or less. OPDMDs operated on USACE-MVS property shall not be capable of exceeding 20 miles per hour.
- VIII. OPDMDs operated on USACE-MVS property shall not cross any street at an intersection where the street being

crossed has a posted speed limit of more than 35 miles per hour.

IX. OPDMDs operated on USACE-MVS property shall follow all the rules and regulations as a motor vehicle/vehicle in accordance with Code of Federal Regulations, Title 36, Parks, Forest and Public Property.

- b. Operation of off-road vehicles, off-road motorcycles, utility vehicles, off-highway vehicles, off-highway motorcycles, all-terrain vehicles, and similar vehicles are prohibited on USACE-MVS Property as OPDMDs.
- 5. This policy does not apply to USACE-MVS employees using OPDMDs for official purposes, contractors of USACE-MVS using OPDMDs per contract requirements, or OPDMDs owned and operated by a governmental entity for official use.
- 6. USACE-MVS reserves the right to revoke the Special Use Permit for refusal or failure to comply with aforementioned restrictions.
- 7. Enforcement of this District Regulation will be implemented by the Operation Manager and uniformed Natural Resource Specialists and Park Rangers when interacting with the public. The primary tool for enforcing implementation of this regulation will be Title 36 of the Code of Federal Regulations.
- 8. POC for this policy is Garrett Fleming @ 314-331-8594



BRYAN K. SIZEMORE
Colonel, U.S. Army
District Commander