

POLICY ON MOTOR VEHICLES, OFF-ROAD RECREATIONAL VEHICLES, PERSONAL ASSISTIVE MOBILITY DEVICES, AND MOTOR-POWERED CONVEYANCES, ON RECREATION DIVISION ROADS, ROUTES, AND TRAILS

POLICY

It is the policy of the Recreation Division (RD) to ensure safe, public use of roads, routes, and trails. The use of these pathways may vary considerably and this policy is to be used to determine acceptable means of transportation for our users along these pedestrian and motorized transportation systems. This policy shall also consider acceptable use of motor-powered contrivances and provide for accommodations for individuals with disabilities. Consistent application of this policy by all recreation staff is essential to the visitors understanding how they may operate and use their equipment on Recreation Division properties.

The [Motor Vehicle Code](#) (Act No. 300, P. A. 1949) provides for the lawful operation of motor vehicles upon the highways of Michigan. Recreation Division applies the use of this code for what is considered acceptable use of unit roads. The Regulation of Lands Administered by the Department of Natural Resources & Environment (DNRE) Administrative Rules and Land Use Orders of the Director provide for the lawful operation of vehicles within division facilities.

Off-road recreational vehicles (ORV's) are defined under MCL 324.81101 and must be registered in conformance with Natural Resources and Environmental Protection Act (Act 451). Certain types of motorcycles, dunebuggies, and 4-wheel drive vehicles, which meet the requirements of the Motor Vehicle Code and are capable of off-road operation and will possess two (motor vehicle and off-road vehicle) registrations.

There is a third broad category of motor-powered conveyances used by the public for recreation purposes not addressed by Motor Vehicle Code or ORV Code or for purposes of mobility assistance as described from here on as Personal Assistive Mobility Devices (PAMD). PAMD's, when operated on Recreation Division lands, must comply with the standards cited in Section 9 of this policy.

In terms of use for individuals with limited mobility needs, the condition of a visitor is **assumed** based upon visual observation, explanation by the visitor or unsolicited presentation of a doctor or therapist's documentation such as a barrier free parking permit, or mirror placard, on the motor vehicle which brought the visitor to the facility. The intent is to allow reasonable accommodation of the visitor to facilities, programs, pedestrian routes and trails. RD has a responsibility to provide universal access to the division's visitors.

Roads and parking areas within the division's facilities have been developed solely for access, egress, and parking purposes. Indiscriminate operation of motor powered conveyances presents an increased safety hazard to the public. The indiscriminate operation of a variety of small equipment by users operating alongside large camping rigs in a confined camping area increases the need for safety practices.

PROCEDURE

1. Public Act 451 defines motor vehicle as a vehicle that is self-propelled ([MCL324.74101](#)).
2. "ORV" means a motor driven off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. Complete definition may be found in [MCL324.81101](#).
3. When operated within a state park or recreation area a park motor vehicle permit must be affixed to all motor vehicles, ORV's and mopeds until September 30, 2010. Upon October 1, 2010, the Recreation Passport statute (MCL324.74116) is in effect. See RD Policy 8.10 for further information. Category three vehicles described previously in policy are exempt from Motor Vehicle Permits. This includes PAMD's **incapable** (for example an amigo or golf cart) of being licensed by Motor Vehicle Code or the Off Road Vehicle Code, utilized solely by a mobility impaired person for their movement, throughout the unit will not be required to purchase a motor vehicle entrance permit.
4. **Barrier Free Parking Permit** - The visitor's disability is **assumed** (people may have disabilities not related to physical mobility), for any vehicle which has a state-issued handicapper parking permit or PAMD (detailed in section 9 below).
5. Motor vehicles addressed in Motor Vehicle Code may not be operated on division lands unless the vehicle is licensed in conformance with the Motor Vehicle Code and the operator possess' a valid operator's license or certificate as issued by the Secretary of State.
6. ORV's registered in accordance with P.A. 451 may be operated on trails or areas, established for these uses. See Administrative Rule 299.922 (o) and (p). They shall not be operated on roads or parking areas unless they are licensed in conformance with the Motor Vehicle Code.
7. "Mopeds" must be registered and carry a registration sticker in conformance with the Motor Vehicle Code before they may be operated on a roadway or street, Mopeds must be operated on the far right edge of the roadway out of the flow of traffic (same as bicycles). The Motor Vehicle Code provides a means for the licensing of "Moped" operators. A person 15 years of age or older who does not possess a valid operator's license may obtain a special restricted license to operate a "Moped" on a public roadway. Persons under 15 years of age shall not operate a "Moped" on a public roadway. All moped operators under 19 years of age must wear safety helmets. Operators 19 years and older are not legally required to wear safety helmets.
8. Use of electrical motorized equipment is acceptable on Recreation Division roads, routes, and trails as explained in the following sections. Acceptable equipment (neither Motor Vehicle Code nor ORV Code) consist of electric powered remote control vehicular toys, electric assisted bicycles, and any electric or internal combustion engine-powered vehicles or personal assistive mobility devices in accordance to the manner listed below. Children may drive electrically powered toys on their campsites, but not on the roads.
9. **Personal Assistive Mobility Devices (PAMD)** – Covered Use - Any device, including one that is battery-powered, that is designed solely for use by a person with mobility impairment for locomotion and is considered as an extension of the individual. A person whose disability requires use of a wheelchair or PAMD may use such equipment that

meets this definition anywhere foot travel is permitted. Examples of these types of transportation include, but are not limited to:

- a. Battery-powered electric motor-driven PAMDs (“Amigos” / “Rascals”, Single rider golf carts, Segways or other forms of single user equipment all operated in a safe and responsible manner at pedestrian speeds

Only persons with mobility impairments may use these devices unless a companion is needed. PAMD’s must be operated at a pedestrian speed. These assistive devices are allowed on all roads, routes, or trails which normally accommodate pedestrian traffic. Not all trails may be suitable for certain equipment and staff may recommend alternatives to visitors if requested. Staff shall identify areas where certain equipment may not be suitable for certain travel.

10. **Vehicles or equipment not covered under PAMD section** - When necessary to utilize ORV equipment in conjunction with an event occurring on Recreation Division properties or in the transportation of individuals with limited mobility in locations where PAMD’s are inadequate (i.e. uneven terrain), internal combustion engine-powered motor vehicles may be authorized to use roads, routes, or trails or to enter areas otherwise closed to motor vehicles operated by the general public. Multiple user vehicles or equipment, such as golf carts (electric or internal combustion engine-powered) may also be utilized for purposes of transportation, mobility assisted need or otherwise. Authorization for such uses is in the form of a Use Permit at no cost to the individual or applicants involved with an event. The permit must identify the person or group for which the equipment use is authorized and may cover the entire anticipated period of a person’s stay within the facility and may identify any restrictions on where the vehicle may travel. Authorization shall include notification that operators of powered vehicles must yield the right-of-way to persons on foot, horseback, or vehicles without power (e.g., bicycles). Prior to authorization, staff must consider the possibility of damage to resources, limiting authorization to the extent necessary to accommodate the mobility request and the condition of the device to be used. Permits can be assigned and approved by either the local manager/supervisor or commissioned ranger.
11. **Designated Natural Areas or environmentally sensitive areas** – PAMDs shall not be permitted to drive within dedicated natural areas, environmentally sensitive areas, or where there is a likelihood of environmental damage beyond the temporary and minor compaction of topsoil and turf unless on a trail designated for pedestrian use.