



CALVERT COUNTY GOVERNMENT GUIDELINE/POLICY/PROCEDURE

TITLE:	Mobility Device Policy		
ISSUED BY:	Board of County Commissioners		
RESPONSIBLE STAFF:	Department of Community Resources – ADA Coordinator		
ISSUE DATE:	08/18/2025	REVISION DATE:	
PURPOSE:	The purpose of this policy is to ensure that individuals with mobility disabilities are permitted to use appropriate mobility devices to access all programs, services, and facilities operated by Calvert County Government, in compliance with Title II of the Americans with Disabilities Act of 1990 (ADA) and 28 C.F.R. § 35.137.		
APPLICABLE TO:	All Calvert County Government (CCG) staff, contractors, volunteers, and members of the public.		
ATTACHMENTS:			

<input type="checkbox"/> GUIDELINE	<input checked="" type="checkbox"/> POLICY	<input checked="" type="checkbox"/> PROCEDURE
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This document needs to be reviewed/updated:

<input type="checkbox"/> Annually <input type="checkbox"/> (Fiscal Year) <input type="checkbox"/> (Calendar Year)	<input type="checkbox"/> Other Interval:		
	<input checked="" type="checkbox"/> As needed	Flag for review on:	

1.0 PURPOSE AND SCOPE

This policy ensures that individuals with mobility disabilities are permitted to use appropriate mobility devices to access all programs, services, and facilities operated by Calvert County Government, in compliance with Title II of the Americans with Disabilities Act of 1990 (ADA) and 28 C.F.R. § 35.137.

This policy applies to Calvert County Government (CCG) staff, contractors, volunteers, and members of the public, including individuals with disabilities who use mobility devices while accessing County buildings, parks, facilities, programs, services, or activities.

2.0 DEFINITIONS

2.1 Wheelchair

A wheelchair is defined under the ADA as a manually operated or power-driven device designed primarily for use by an individual with a mobility disability. This includes mobility scooters.

2.2 Manually Powered Mobility Aids

Manually Powered Mobility Aids include walkers, crutches, canes, braces, or other similar devices designed to assist individuals with mobility impairments. These aids are permitted in all areas open to pedestrian use and are not subject to Other Power-Driven Mobility Device (OPDMD) restrictions.

2.3 Other Power-Driven Mobility Device (OPDMD)

An Other Power-Driven Mobility Device (OPDMD) is any device powered by batteries, fuel, or other engines used by individuals with mobility disabilities to enhance their personal mobility, but that is not a wheelchair. Examples may include, but are not limited to:

- Segways®
- Powered bicycles or tricycles
- Golf carts
- Certain powered all-terrain vehicles or scooters

2.4 Non-Compliant Devices

Riding lawn mowers, hoverboards, off-road dirt bikes, skateboards, and similar recreational devices are not permitted, as they are not designed for disability-related mobility assistance and may pose safety risks.

3.0 POLICY STATEMENT

It is the policy of Calvert County Government to allow individuals with mobility disabilities to use wheelchairs and other appropriate mobility devices in all areas where the general public is allowed, in accordance with the ADA.

County staff will not discriminate based on disability and will provide reasonable access while maintaining legitimate safety and operational requirements.

4.0 USE OF WHEELCHAIRS

Manual or powered wheelchairs (including mobility scooters) are permitted in all public-facing County facilities, programs, and services without prior approval or restriction, so long as their use does not create a safety hazard.

5.0 USE OF OTHER POWER-DRIVEN MOBILITY DEVICES (OPDMDs)

5.1 Permissibility Criteria

OPDMDs may be used by individuals with mobility disabilities if they meet the following criteria:

- The device does not exceed the physical or structural limitations of the facility (e.g., width of pathways, weight-bearing capacity, or turning radius);
- The device does not block emergency egress, pedestrian pathways, obstruct essential operations, or pose a legitimate safety hazard;
- The device is operated at a safe, walking speed in public indoor and outdoor pedestrian areas not to exceed 5 miles per hour;
- The device is operated in accordance with the manufacturer's safety recommendations;
- The operator is prohibited from carrying another person on the frame, or any object on the frame that may make the device less stable;
- The operator must not operate the device in a dangerous or reckless manner that jeopardizes the safety of the operator, County employees, or County participants;
- The operator must follow all posted County park and facility operating hours, with exceptions granted only as part of a specific ADA accommodation;
- The operator must yield to pedestrians in shared pathways and trails;
- The operator adheres to the restrictions and responsibilities outlined in this policy;
- The operator affirms that the device is necessary for a mobility-related disability.

Calvert County Government:

- Accepts no liability for theft, loss, or damage to any mobility device;
- Accepts no liability for injury to the device operator or third parties, whether caused by the operator, another visitor to a County facility or site, or any other circumstance;
- Accepts no liability for any damage caused by the device or its operator to County property or others;
- Accepts no responsibility for storage or charging of the device;
- Reserves the right to restrict OPDMDs from unpaved or erosion-prone areas during inclement weather or scheduled maintenance to ensure safety and/or to protect the environment;
- Reserves the right to prohibit further use of a mobility device by an operator who fails to adhere to the restrictions outlined in this policy;
- Reserves the right to move or relocate a device if it creates a safety risk, obstructs access, or constitutes a hazard;
- Reserves the right to limit or prohibit the use of a particular OPDMD when it cannot be safely operated within County facilities or on County property. Safety assessments will consider factors such as the device's type, size, weight, emissions, maneuverability, operating speed, and the volume or nature of pedestrian traffic in the area;
- May modify this policy at any time based on updated guidance, operational needs, or facility requirements.

5.2 Credible Assurance of Disability

Staff may request credible assurance that an OPDMD is required due to a disability. Acceptable forms of assurance include:

- A state-issued disability parking placard or card;
- A state-issued proof of disability;

- A verbal statement, not contradicted by observable fact, that the device is being used because of a disability (no documentation may be required).

5.3 Restrictions Based on Risk

The County may restrict the use of OPDMDs:

- In areas with narrow corridors, fragile flooring, or elevated walkways;
- Where the presence of the device fundamentally alters the nature of the service;
- If use would interfere with legally required egress paths or create a direct threat to others' safety.

All types of devices powered by fuel or combustion engines, for example, may be excluded from indoor settings for health or environmental reasons or areas with heavy pedestrian traffic, but may be deemed acceptable in some outdoor settings.

Each restriction shall be based on actual risk assessments, not speculation or stereotypes.

6.0 STAFF RESPONSIBILITIES

All County staff must:

- Permit the use of wheelchairs, manual powered mobility aids, and appropriate OPDMDs by individuals with mobility disabilities;
- Avoid asking intrusive questions about the nature of a person's disability;
- Request credible assurance *only* when the individual is using a non-traditional OPDMD device;

When credible assurance is required, staff shall accept:

- A state-issued disability placard, permit, identification card, or other official documentation as sufficient evidence on its face; OR
- A verbal statement from the individual, not contradicted by observable fact, indicating that the device is being used due to a mobility-related disability.

Unless the individual's behavior clearly contradicts the stated need, no further inquiry or documentation shall be required.

7.0 COMPLAINTS AND ENFORCEMENT

Individuals who believe they have been unlawfully restricted from using a wheelchair or OPDMD on County property may contact:

ADA Coordinator

Calvert County Department of Community Resources
175 Main St
Prince Frederick, MD, 20678

Phone: (410) 535-1600 ext. 8802

Hours: Monday – Friday 8:30 am – 4:30 pm

Written requests can also be emailed to adacoordinator@calvertcountymd.gov

Complaints may also be filed with the U.S. Department of Justice Civil Rights Division <https://www.ada.gov/file-a-complaint/> or by calling 800-514-0301 (Voice) / 833-610-1264 (TTY).

8.0 POLICY REVIEW AND TRAINING

This policy shall be reviewed as needed or upon updates to relevant federal guidance. ADA compliance training, including procedures for handling OPDMD-related access, will be incorporated into staff orientation and ongoing training for public-facing roles.