



## ACCESSIBILITY ADVISORY COUNCIL

### MINUTES

December 6, 2022

DNR Lansing Customer Service Center  
Lower-Level Conference Room  
4166 Legacy Parkway, Lansing

#### ACCESSIBILITY ADVISORY COUNCIL (AAC)

| PRESENT             | ABSENT             |
|---------------------|--------------------|
| Scott Norris, Chair | Allen Beauchamp    |
| Tom Jones, Co-Chair | Cindy Burkhour     |
| Ken Buchholtz       | Michael Harris     |
| Vendela Collins     | Neal McKenzie      |
| Tyra Khan           | Kimberly Woolridge |
| Tina Nowakowski     |                    |
| Rebecca Powell      |                    |
| Will Purves         |                    |
| Jessica Stark       |                    |
| Billy Vickers       |                    |
| Bryan Wilkinson     |                    |
| Robert Winn         |                    |
| Duncan Wyeth        |                    |

#### PRESENT FOR THE DEPARTMENT OF NATURAL RESOURCES (DNR)

Daniel Lord, AAC Sponsor  
Michael Holsinger, ADA Coordinator  
Lindsey Henski, Assistant to the AAC

#### PRESENT FROM THE DNR ACCESSIBILITY TEAM (A-TEAM)

David Haupt, *A-Team Chair*, Marketing and Outreach  
Cindy Krueger, Marketing and Outreach  
Alex Galloway, Grants, Finance and Operations  
Diana Paiz, Michigan History Center  
Pam Vance, Training Advisory Team Representative  
Stacy Welling-Haughey, Executive  
Michelle O'Kelly, Parks and Recreation  
Kristin Wildman, Wildlife

#### INTERPRETERS

Jeff Plaxco and Stacy Pierce Dildy, ASL Interpreters  
Pam Wixom, Closed Captioner

#### OTHERS:

Patrick Parkes, Disability Advocates of Kent County

#### PRESENTERS:

Jason Fleming, DNR  
Tom Weston, DNR

## REGULAR MEETING

### OPENING REMARKS

Chair Norris called the meeting to order at 9:00 a.m.

The Chair then took roll call.

### APPROVAL OF MINUTES

Chair Norris asked the council if they had any additions, corrections, or discussion regarding the August 23, 2022, minutes. One spelling error was addressed.

Chair Norris requested a motion to approve the August 23, 2022, minutes.

***Duncan Wyeth motioned to approve the minutes; Tyra Kahn seconded the motion; the motion unanimously carried, and the August 23, 2022, minutes were approved.***

### E-BIKES AS ADAPTIVE EQUIPMENT AND TRAIL USE

#### Background on Legislation, Current Requests, Timeline for Input and Decision Making

Jason Fleming with Parks and Recreation Division (PRD) lead a discussion on e-bikes and how individuals with mobility assistance needs fit within our current rules.

PRD Policy 7.21 Motor Vehicles Motorcycles and Motor-Powered Contrivances (Except Snowmobiles), Section J, states:

J. Personal Assistive Mobility Devices (PAMD) 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:

- 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.

Motor Vehicle Code 257.13e defines Electric Bicycles as:

Sec. 13e. "Electric bicycle" means a device upon which an individual may ride that satisfies all of the following:

(a) The device is equipped with all of the following:

- (i) A seat or saddle for use by the rider.
- (ii) Fully operable pedals for human propulsion.
- (iii) An electric motor of not greater than 750 watts.

(b) The device falls within 1 of the following categories:

- (i) Class 1 electric bicycle. As used in this subparagraph, "class 1 electric bicycle" means an electric bicycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 20 miles per hour.
- (ii) Class 2 electric bicycle. As used in this subparagraph, "class 2 electric bicycle" means an electric bicycle that is equipped with a motor that propels the electric bicycle to a speed of no more than 20 miles per hour, whether the rider is pedaling or not, and that disengages or ceases to function when the brakes are applied.

(iii) Class 3 electric bicycle. As used in this subparagraph, "class 3 electric bicycle" means an electric bicycle that is equipped with a motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 28 miles per hour.

Recently, the Department has been receiving requests to operate and utilize e-bikes for assisted mobility. Therefore, what is the best way to respond to reasonable accommodations moving forward? PRD has been issuing a Use Permit at no charge. Jason led a discussion with the Council.

Discussion:

- Is pedestrian speed defined?
  - No
- It was suggested to remove or change the language for maximum allowable wattage, considering off-road hand cycles can weigh up to 200 pounds.
  - Jason commented that change would require a statutory change with the legislature.
- Is a Use Permit issued by PRD good for one trail or any trail?
  - That depends on how the permit is wrote. Also, PRD only has jurisdiction on the portions of trails that are managed by PRD.
- Similar to e-bikes, there are different types of hand cycles: full electric option (no pedals – feet out in front of you) and hybrid hand crank with electric motor (this option is heavy, and is comparable to a road hand cycle, but with off-road tires and an electric option).
- PAMDs have a MPH attached to it, correct (4 MPH)? E-bikes are capable of going 28 MPH. How will that play in?
  - Jason replied that to use an e-bike as a bike, the rider must be on a designated bike trail. When we look at e-bikes as a PAMD on walking or hiking trails the Department would write a Use Permit for pedestrian speed at 4 MPH. The use of PAMDs is addressed on a case-by-case basis considering the requested equipment and location.
- Can you define bicycle vs hand cycle? Hand cycles are three wheeled with hand pedals. Are pedals defined using hand OR foot?
  - Jason will look into that.
- There are concerns that the permit process is different based on managing division. And the question exists, is the permit process is unduly burdensome for persons with disabilities? How far in advance does someone need to request a permit? Can someone receive a permit the same day as requested?
  - Use permits are handle in paper format. You can get the application online, but processing is still completed via paper hard copy. You could request a Use Permit in person and receive a signed permit IF staff is available and on-site.
- Is there a tipping point at which a PAMD becomes something that's much faster and turns into something different?
- Is the current legislation being updated?
  - Jason replied there are no existing bills at this time. The Department is working within existing legislation. PRD is working on a policy update to address changes in equipment and known issues. A draft policy will be shared with this council towards the end of January 2023.
- A lot of people are using e-assisted devices for convenience. Others rely on this equipment for access. Changes to policy should consider permissive or permit language.
- There are two vacant representative positions on the Non-Motorized Trails Council. Can we appoint someone from this council?

- Tim Novak with PRD oversees the Non-Motorized Trails Council. If you are interested in serving on that council, contact Tim Novak at [NovakT8@michigan.gov](mailto:NovakT8@michigan.gov) or by phone at 517-331-5131.
- Billy Vickers and Bryan Wilkinson will report back in March about joining the council.
- Jason Fleming will come back to this council in March to share PRDs updated policy.

## **HARVEST REPORTING**

### **Background on Legislation**

Tom Weston discussed 2023 mandatory deer harvest reporting.

Historically, the Department would mail paper surveys to a subset of hunters after the hunting seasons, asking a variety of questions. If surveys were not returned, we would mail a second request, and even a third. Of 70,000 surveys sent out, the Department only receives 20-30% returned.

Therefore, with the Departments new license sales system in 2020, it was part of the contract to create an online deer harvest reporting system. That system was developed in 2021 and launched on a volunteer basis. In 2022, it became mandatory.

### **Overview of Data Collection and Results**

From the first hunt of the year to current, the Department has received 260,000 reports. Of the 260,000 reports received, 82% completed the report in under 5 minutes.

An additional component of the harvest reporting feature to the vendor, was to create an interactive voice response (IVR) system. The Department turned the IVR system on just before firearm deer season. An additional 1,600 reports were received on that system.

The Department will phase out the paper surveys over the next two years.

Council members asked if an adaptive sports card could be added to the Hunt Fish App. Tom Weston replied that it could. In the upper right corner of the app, by touching your initials, account information is listed. The bottom of that page shows customer declarations. For an adaptive sports card, we could render Department validated information similar to Hunt from Stand Vehicle permits and legally blind.

## **DEPARTMENT UPDATES**

### **DNR Executive Updates**

Dan Lord, AAC Sponsor, highlighted some changes within the Department at the agency level. Director Dan Eichinger is taking on a temporary role as the Acting Director of the Department of Environment, Great Lakes, and Energy (EGLE) starting January 1, 2023. Deputy Director Shannon Lott will be moving into the Acting Director role for the Department.

### **DEI Coordinator Update**

The DEI coordinator position remains vacant.

### **Deputy Director Update**

Deputy Director Mark Hoffman is retiring at the end of December 2022. This position has been filled with Kristin Phillips, who has been working with Mark on the transition over the past couple of months.

Jim Dexter, Chief of Fisheries Division will be retiring in Spring 2023. That position has been posted to allow for overlap as well.

## **ADA Coordinator Updates**

### **USFWS Title VI Audit**

The Department was contacted by USFWS conducting a Title VI Audit. The audit asked 53 questions. This is a Department wide lift, and staff are working together across divisions to gather this information.

As a part of the audit, two individuals will be coming from Atlanta to look at some of the Department's facilities. Therefore, the typical schedule for AAC meetings has been adjusted for June 13, 2023, to provide an overlap timeline so USFWS staff can attend an AAC meeting in person.

The audit included some questions on Limited English Proficiency (LEP). The Department is working to develop a process/procedure for LEP. Duncan Wyeth reminded staff that ASL is a primary language and needs to be included with LEP communications.

### **A-Team Updates**

Dave Haupt reminded the council about the accessibility interviews that were discussed at the last council meeting. However, after further discussion it was decided to create a subcommittee to develop formal messages we want to communicate. Jessica Stark commented that the new subcommittee will meet between now and March, and report back to the council at the March meeting.

Subcommittee volunteers: Dave Haupt, Jessica Stark, Scott Norris, Bryan Wilkinson.

Dave Haupt will forward meeting dates.

### **Track Chair Fundraising Campaign Update**

Michelle O'Kelly shared that the track chair fundraising page is still up and continues to receive minor donations. A 'Giving' video has been drafted by PRD as a Thanksgiving campaign. That campaign may generate more donations.

### **Track Chair Reservations/CRS**

Michelle O'Kelly continues to engage CAMIS regarding track chair reservations. The Department has a list of things we continue to ask for from CAMIS.

Duncan Wyeth commented that Stacy Welling-Haughey uses Public Broadcasting – Ask the DNR. Duncan stated that venue would be a great way to share information on track chairs and accessibility. Stacy agreed and will follow-up with John Pepin.

Tom Jones asked if the Department has a number of clicks on reservations for this year? Michelle O'Kelly replied no. Parks are currently tracking reservations differently. Michelle will follow up in March after contacting Park Supervisors to see how many reservations were made in 2022. Michelle will also see how many clicks were made on the Track Chair webpage.

## **COUNCIL BUSINESS**

### **Spectrum Health Limb Loss Support Group**

Dan Lord advised the council that Spectrum Health reached out seeking AAC & DNR Representation on April 12<sup>th</sup> and September 13<sup>th</sup>, 2023. Their Limb Loss Support Group is looking to understand opportunities.

These meetings will potentially be in the Grand Rapids area and most likely in person. Does anyone have interest in representing the council at a Limb Loss Support Group meeting?

Duncan Wyeth suggested reaching out to Cindy Burkhour. She lives in the area and has done work with VA and Wounded Warriors events. Scott Norris will follow up with Cindy. This topic will remain on the March agenda.

### **2023 Meeting Dates, Motion for Approval**

- March 7<sup>th</sup>, Lansing Customer Service Center
- June 13<sup>th</sup>, Muskegon State Park
- September 12<sup>th</sup>, TBD, Possibly Detroit
- December 5<sup>th</sup>, Lansing Customer Service Center

Chair Norris requested a motion to approve the meeting dates.

***Rob Winn motioned to approve the 2023 Meeting Dates; Duncan Wyeth seconded the motion; the motion unanimously carried, and the 2023 meeting dates were approved.***

### **ADAPTIVE EQUIPMENT AT DNR SHOOTING RANGES**

#### **Rose Lake Meeting Summary**

Tom Jones has connected staff from 'Be Adaptive' with Dennis Fox at Rose Lake. Rose Lake is a great location for Be Adaptive to bring out equipment and put on a demonstration. Tom stated he is planning to purchase a LM100 and gifting it to Rose Lake. Dates have yet to be determined for the demonstration, but February is a possibility.

#### **Possible Next Steps for 2023**

Tom Jones stated that 17 accessible blinds have been placed on state land. Having this equipment available to the public is great, but are we communicating it?

Duncan Wyeth suggested that when the Marquette shooting range comes online, maybe a similar demonstration by Be Adaptive would be a good idea.

Dan Lord commented that the Departments website has a lot of consolidated information. This information should be communicated back to your respective memberships and networks.

Rob Winn commented that when he has visited State Parks, track chairs and other accessible equipment isn't visible. He suggested a large poster with visual aid. Duncan Wyeth commented that Billy Vickers and/or Bryan Wilkinson could work with Jon Pepin to write an article on track chairs.

### **COUNCIL UPDATES**

#### **Legislative Update**

Tyra Kahn updated the council that the only pending legislation is House Bill 5751 'emotional support animal act'.

The bill regulates the certification of people who require emotional support animals (primarily people with mental or psychological related disabilities) as it relates to rental properties. MDCR has some issues regarding the definition of an emotional support animal; the definition is confusing, and the language does not align with HUD guidance. The bill only targets individuals who need assistance animals for emotional support. It adds criminal sanctions to the law for people who assist in verifying the need for an accommodation and has arbitrary restrictions on the patient provider relationship. MDCR continues to monitor the bill.

## **Roundtable**

Ken Buchholtz shared some hunting success stories. He stated he has 6 accessible units and 3 mobile units, along with blueprints on how to make an accessible blind. The different wildlife groups, local taxidermist and processors have been great to work with offering funding, equipment, and donated services.

Tina Nowakowski with mParks has been working to offer more education opportunities. mParks is adding Certified Therapeutic Rec Specialist (CTRS) certifications to their educational offerings to broaden offerings to provide local parks and recreation departments with more resources. mParks March 7, 2023, conference will be held in Lansing and will be certifying many of their sessions with CTRS. The trade show kicks off March 8, 2023, after the conference. mParks encourages attendance and any potential vendors can be forwarded to Tina. mParks Day at the Capital will be June 29, 2023. This event draws thousands of kids playing on the capital grounds. If the council wants to bring and demonstrate accessible equipment, contact Tina.

Bryan Wilkinson stated that there are a lot of moving parts in the state surrounding adaptive sports recreation. He also shared that Universities are also getting on board with adaptive equipment. Otherwise, his daughter was successful harvesting a deer during the youth season this year.

Jessica Stark stated she took out a couple hunters during the Liberty Hunt in Leelanau County. One hunter was successful!

Billy Vickers stated the season is wrapping up. Disability Dirt Days, an off-road, side by side, jeep event, was held at Holly Oaks. Other off-road parks are being considered in the future.

Tom Jones wrapped up his 6<sup>th</sup> season on the Leonard Preserve. Over the six seasons, 116 deer have been harvested! We may be going into other preserves and exploring different options to broaden the team.

Duncan Wyeth shared information on 'Project Jade'. The project provides communication boards for individuals on the autism spectrum. Duncan will look into Project Jade further, and work with Stacy Welling-Haughey regarding the Departments feasibility to utilize these boards.

## **PUBLIC COMMENT**

Diana Paiz speaking as a member of the public, shared with the council her comments at the November Michigan Historical Commission meeting:

1. MHC which administers the historical marker program, had omitted looking for and highlighting the story of people w disabilities.
2. There are two historical markers, one which uses the R word when referring to people, and a second that used the M word when referring to type of car.
3. Think about portrayal of disability in marker text.

## **CLOSING BUSINESS**

Chair Norris announced the next meeting of the council is scheduled for March 7, 2023, at the Lansing Customer Service Center, beginning at 9:00 a.m. The council will address electing Chair and Co-Chair at the March meeting.

## **ADJOURN**

Chair Norris asked if there were any further comments. No additional comments were offered.

The Chair thanked all members of the council, the accessibility team, the interpreters and CART service provider, and the presenters for their participation in today's meeting.

Chair Norris requested a motion to adjourn.

***Duncan Wyeth motioned for adjournment; Jessica Stark seconded the motion; the motion unanimously carried; meeting adjourned at 11:58 a.m.***