



Michigan State Parks Advisory Committee

Meeting Minutes

Date: December 20, 2023

Time: 2:00 p.m.

Location: Virtual

Roll Call

Present for MSPAC

Jim Bradley; Ontonagon, Ontonagon County
Julie Clark; Grand Traverse, Traverse County
Ann Conklin; Canton Twp., Oakland County
Bob Hoffmeyer; Clarkston, Oakland County
Shaun McKeon; Lansing Twp., Ingham County
Mary Pitcher; Benzonia Twp., Benzi County
Nichole Fisher; mParks, Lansing, Ingham County
Colin Pearson; Caledonia, Kent County
Chuck Nelson; St. Johns, Clinton County
Carol Rose; Hillman Twp., Mt. Morency County

Absent:

Chris Graham
Mike McDonald

Present for the Department of Natural Resources:

Ron Olson, Chief
Vicki McGhee
Tim Novak
Jason Fleming
Nicole Hunt
Matt Lincoln
Deb Jensen
Tori Irving
Jill Sell
Barbara Graves

Call to Order

Member Conklin called the meeting to order at 2:03 p.m. and roll was taken.

The meeting continued with introductions of newest members Chuck Nelson and Colin Pearson.

Member Nelson has taught park management courses at MSU for 42 years and served on the first two systems committees for Michigan state parks. He was involved in creating the Michigan State Park Endowment Fund and getting it on the ballot and was also involved in the implementation of the Recreation Passport. He has two 3-month-old twin grandsons and is looking forward to being involved with the committee now that he is retired.

Colin Pearson is from the Grand Rapids area and is a college student studying civil engineering at Michigan State with a minor in sustainable parks and recreation.

Action

Member Conklin asked for a motion of approval of the October 25, 2023, meeting minutes. The motion was moved by Chuck Nelson, supported by Mary Pitcher, and passed unanimously.

The next item on the agenda was the approval of the 2024 meeting dates. Member Conklin said the meetings typically start at 2 p.m., unless there is an in person meeting with a tour included. Member Conklin asked for a motion to approve the 2024 meeting dates. The motion was moved by Jim Bradley, supported by Julie Clark, and passed unanimously.

Bass River Recreation Area General Management Plan

Matt Lincoln went through the Bass River Recreation Area General Management Plan with a presentation that included the planning process, park background, input methods, stakeholder input, proposed management zones, and 10-year action goals. (Presentation attached).

MOTION: Committee member Conklin asked for a motion of support to adopt Resolution 12-2023-06, a resolution to recommend approval of the Bass River Recreation Area General Management Plan. The motion was moved by Chris Graham, supported by Mary Pitcher and Chuck Nelson, and passed unanimously.

Information Only

Parks and Recreation Update

Chief Olson welcomed the new members to the committee. The rest of the members will stay on for another year and then transition off the committee. They will revisit subcommittee structures and expectations. Subcommittees will be utilized as they have in the past to delve into issues such as user conflicts; i.e., e-bikes on non-moto trails. He asked that if the committee has ideas for these subcommittees to let him know.

Member Clark wanted clarification on e-bikes in relation to the ADA. Nicole Hunt, Regulatory Unit Manager, PRD, described the difference as between when somebody uses as e-bike as their other power-driven mobility device as opposed to use in a recreational capacity. Use of an e-bike in the capacity as another power-driven mobility device is an acceptable use. The ADA allows for an agency to review criteria to determine whether or not there are conditions that may prohibit certain types of other power-driven mobility devices. An example of this would be a natural surface, 2-ft. hiking trail. One would not be able to use an ORV power-driven mobility device on that walking trail because the design of that resource is not compatible with that type of use. It does require an assessment and verification of criteria.

The Proposed LUOD – E-bike Use on State Park Lands item was moved up in the agenda

Nicole Hunt, Regulatory Unit Manager, PRD, gave a presentation on the proposed Land Use Order of the Director (LUOD) to expand the use of e-bikes on trails which included background information, the League of Michigan Bicyclists support of expansion with conditions, the e-bike subcommittee review process, and the proposed LUOD. (Attached).

Julie Clark asked about the process and if the recommendation from the Non-motorized Advisory Workgroup (NAW) subcommittee went to the Michigan Trails Advisory Council (MTAC) first before this committee. Nicole said the process for a LUOD is to present it to the Natural Resources Commission (NRC) during the director's portion. The first month would be for information only, the second month for action. In the e-bike subcommittee discussions, it was agreed that they also include the Michigan State Parks Advisory Committee public body to allow for additional comment because of the relationship with the allowance in the park system.

Member Clark asked what the MTAC opinion was of the proposal to which staff explained that the NAW, as a subcommittee of the MTAC have been in discussions and are in agreement with the proposal that includes an evaluation period. The department has also benched with Arkansas State Parks as they have experience with the use of class 1 e-bikes in their system.

Chief Olson has had discussions with the last two state park directors, and both reported no substantial problems with their use. Our proposal includes an evaluation period, so discussions will be ongoing.

Tim Novak, Trails Section Chief, added that this has been an ongoing discussion at the MTAC and the subcommittee. Members of the subcommittee include Neal Glazebrook, League of Michigan Bicyclists; Jason Aric Jones former member of the Michigan Mountain Biking Association and current member of MTAC; and Lori Hauswirth from Noquemanon Trail Network. It will go back to the MTAC in their first quarter meeting.

Parks and Recreation Update

Highland Copper – Copperwood Project Update

Chief Olson updated the group that there is a potential that the mining company who owns mineral rights in the Porkies may seek mining permits to mine the area. Although the department has limited authority, they will do what they can to halt any destruction to the park. Jim Bradley added that there are a lot of maps and definition of the process on a site called protecttheporkies.com.

Keweenaw Land Update - Tori Irving, Upper Peninsula Field Analyst, Office of Public Lands

Tori Irving gave the committee an update on the Keweenaw Heartlands land acquisition, that included the partnership with The Nature Conservancy, the inventory project committee, and outreach (attached).

Public Comment

Moses Fridman – Supports allowing class 1 e-bikes in the form of a trial period study as recommended by the MMBA.

Nathan Browning – Supports allowing e-bikes on trails.

Pierre Crevier – Supports allowing e-bikes on trails.

Tim Potter – Does not support motorized vehicles on trails, in particular single tracks.

Carl Loomis, President of Potawatomi Mountain Biking Association (Poto MBA) - Opposed to electric vehicles on natural surface, single track, non-moto trails.

Nathan Miller, Executive Director of Copper Harbor Trails Club – Spoke of their organization opening the majority of their trails to class 1 e-bikes and working with the DNR the past several years to try to open natural surface trails on forest land to e-bikes.

Michael Vargo – Supports those with ADA accommodations having access to trails.

Gerry – Supports allowing e-bikes on trails.

Jeff – Is afraid that mountain bikers like himself have come a long way and thinks that other mountain bikers are doing to e-bike users what was once done to them.

Fernando Garcia – Member of Poto MBA.. Appreciates what Poto MBA does for them, but he is in favor of e-bikes and disagrees with their stance.

Tim – Member of Poto MBA is strongly in favor of e-bikes on the trails.

Eric Wolf – His concern is enforcement as there is no way to distinct between the classes of e-bikes. Suggested a permit system with tags.

Member comments

Member Conklin said they value the participation today. She asked for member comments.

Shaun McKeon said he took a job with the DNR as the Explorer Guide in Marketing and Outreach and his position on the committee will end.

Member Conklin wished everybody a beautiful holiday season and happy and healthy new year.

Nicole Fisher gave thanks to Ron Olson for working with mParks meet and greet with the director.

With no further business, the meeting was adjourned at 3:57 p.m.

Next regular meeting: February 21, 2024

RESOLUTION NO. 12-2023-06

MICHIGAN STATE PARKS ADVISORY COMMITTEE (MSPAC)

RESOLUTION TO RECOMMEND APPROVAL OF THE “BASS RIVER RECREATION AREA GENERAL MANAGEMENT PLAN”

ADOPTED: December 20, 2023

WHEREAS, the Michigan Department of Natural Resources’ (DNR) Parks and Recreation Division has completed the General Management Plan for Bass River Recreation Area; and

WHEREAS, the planning process reflects sensitivity to natural resource values, historic and cultural resource values, recreation and education opportunities, and is inclusive of all DNR programs and representative of eco-management; and

WHEREAS, the planning process was further inclusive of stakeholder, constituent, and public input; and

WHEREAS, the General Management Plan represents sound guidance for future planning phases that will be consistent with the mission of the DNR and the Parks and Recreation Division, and reflective of the purpose and significance of Bass River Recreation Area; and

WHEREAS, the General Management Plan is consistent with the recommendations of the Michigan State Parks and Outdoor Recreation Blue Ribbon Panel and the Parks and Recreation Division’s strategic plan; and

WHEREAS, the General Management Plan has been reviewed and recommended for approval by the Parks and Recreation Division and the MSPAC Stewardship Subcommittee.

THEREFORE, BE IT RESOLVED, that the Michigan State Parks Advisory Committee recommends approval of the Bass River Recreation Area General Management Plan; and

THEREFORE, BE IT FURTHER RESOLVED that the Michigan State Parks Advisory Committee further recommends that the DNR Director approve the General Management Plan for Bass River Recreation Area;

Submitted by: MSPAC Stewardship Subcommittee

Motioned by: Chris Graham
Seconded by: Mary Pitcher

Yeas: 10
Nays: 0
Abstained: 0
Absent: 2

This Resolution was adopted by the Michigan State Parks Advisory Committee at their meeting on December 20, 2023, as Resolution No. 12-2023-06.



Parks and Recreation Division Expansion of Ebike Use on Trails

**Michigan State Parks
Advisory Committee
December 20, 2023**

Background

- Increase in ebike use both within Michigan as well as across the country.
- Ebike use is allowed on Department managed improved trail surfaces but can be expanded.
- Evaluated expanding the use of Class I ebikes on natural surface trails, and Class II ebikes for individuals with a disability requiring use of a throttle assist upon the issuance of a permit.
- Expansion of use would require approval of a LUOD.



LMB

The League of Michigan Bicyclists provided written support of the expansion on condition that the following steps are taken by the DNR:

- 1) Learn from and consider processes of the NPS and by other states including a trial period
- 2) Engagement during this trial period
- 3) Provide educational resources
- 4) Training
- 5) Standardization
- 6) Engage with disability rights community
- 7) Measure trail use and be prepared to invest
- 8) Benchmarking data and metrics
- 9) Public meetings and comment



Ebike Subcommittee

- Non-Motorized Advisory Workgroup (NAW) approved formation of an ebike subcommittee.
- The ebike subcommittee has made significant progressing working through the nine points from the MLB.
- The ebike subcommittee supports brining the proposed LUOD to this Committee for review and public comment.



Proposed LUOD

As you will notice, the proposed LUOD would:

- Allow a person to operate a class-1 electric bicycle on a trail which is open to bicycle use on any parks and recreation division administered lands.
- Allow a person with a mobility impairment to operate a class-2 electric bicycle on a trail open to bicycle use located on any parks and recreation division administered lands with the issuance of a use permit.
- Establish a one-year evaluation/trial period.



Questions

Thank you!





GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



M. SCOTT BOWEN
ACTING DIRECTOR

SUBMITTED: XXX XX, 2024

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Parks and Recreation Division Management of State-Owned Lands
Land Use Order of the Director Amendment No. X of 2024
FOR INFORMATION ONLY

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

Periodically, the Parks and Recreation Division reviews the Land Use Orders that govern the lands it administers to determine whether any updates are necessary due to operational needs, statutes and/or clarifications to existing Land Use Orders. This proposed Land Use Order of the Director is a result of such efforts.

Proposed to be addressed in this Land Use Order is the following:

The Parks and Recreation Division manages approximately 3,000 miles of trails open to the use of bicycles, serving an increasing demand for this recreational activity by people of all ages and abilities. One area seeing much greater popularity and an increase in demand of riding opportunities is electric bicycles.

Broadly speaking, electric bicycles are either pedal-assist, meaning the motor is engaged by pedaling and cuts off at a designated top speed, or throttle-on-demand, with which the motor can propel the bike even if the rider is not pedaling.

In Michigan, MCL 257.13e defines an electric bicycle as a device equipped with a seat or saddle used by the rider, fully operable pedals for human propulsion and an electric motor not greater than 750 watts, and provides for three different classifications:

- Class 1 Electric Bicycle
 - 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.
- Class 2 Electric Bicycle
 - 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.
- Class 3 Electric Bicycle

- 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.

MCL 324.72105 allows an individual to operate a class 1 electric bicycle on a linear trail that has an asphalt, crushed limestone, or similar surface, or a rail trail. It also prohibits the use of an electric bicycle on a trail that is specifically designated as nonmotorized and that has a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials with a provision that a local authority or agency of this state having jurisdiction over a trail described in this subdivision may allow the operation of an electric bicycle on that trail.

Electric bicycles can help with barriers to cycling such as hilly topography and long distances to destinations, and well as grant people with physical limitations new recreation or the option to continue previous recreation activities not allowed due to their mobility impairments. This allows more access to our natural resources by those who may not be able to access it otherwise.

The prevailing concern about allowing electric bicycles on trails is the question of safety—particularly related to speed. However, several other states and municipalities have expanded access to electric bicycles on natural surface mountain biking trails with few documented issues related to the expansions. Areas opened to expanded use of Class-1 electric bicycles are also not likely to have any more impact on the resource or trail surface than traditional mountain bikes or other trail users.

Several advisory groups, as well as other divisions of the Department have been consulted in the preparation of this order allowing for feedback and input.

It is therefore proposed that Class-1 electric bicycles be allowed on all bicycle trails administered by the Parks and Recreation Division, including natural surface mountain biking trails, and that Class-2 electric bicycles may be used by an individual with a mobility impairment on all Parks and Recreation Division trails open to bicycles with the issuance of a Use Permit.

Parks and Recreation Division Management of State-Owned Lands

Land Use Order of the Director Amendment No. X of 2024

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February 1, 2024

Relevant Divisions have contributed to the preparation of this order. This order is being submitted for information and consideration. This item will appear on the Department's XXX XX, 2024 calendar and may be eligible for approval on XXX XX, 2024.

Sara Thompson, Chief
Wildlife Division

Jason Haines, Chief
Law Enforcement Division

Jeff Stampfly, Chief
Forest Resources Division

Ronald A. Olson, Chief
Parks and Recreation Division

Randy Claramunt, Chief
Fisheries Division

Shannon Lott
Natural Resources Deputy

DRAFT

LAND USE ORDERS OF THE DIRECTOR

Amendment No. X of 2024

By authority conferred on the Director of the Department of Natural Resources by Section 504 of the Natural Resources Environmental Protection Act, 1994 PA 451, MCL 324.504, and in accordance with R 299.921 to R 299.933, the Director of the Department of Natural Resources orders the following:

5.27 State parks and recreation areas, allowable conduct.

Order 5.27. (1) A person may operate a class-1 electric bicycle on a trail which is open to bicycle use on any parks and recreation division administered lands.

(2) A person with a mobility impairment may operate a class-2 electric bicycle on a trail open to bicycle use located on any parks and recreation division administered lands with the issuance of a use permit.

(3) This Order shall be reviewed after a period of one year from the effective date to allow the Department time to assess the impact of electric bicycle use on natural surface trails. If after the one-year period, negative impacts shall be evidenced, the Order shall be rescinded. However, if after the one-year period, no negative impacts are evidenced, the Order shall remain in effect.

This order shall be posted on or after the Xth day of XXX 2024.

Issued on this Xth day of XXX 2024.

M. Scott Bowen
Director

MOTOR-POWERED CONVEYANCES IN PARK AND RECREATION DIVISION FACILITIES

I. POLICY STATEMENT

It is the policy of the Parks and Recreation Division (PRD) 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 conveyances and provide for accommodations for individuals with mobility impairments.

II. PURPOSE

Consistent application of this policy by all staff is essential to the visitors understanding how they may operate and use their equipment on PRD properties. Roads and parking areas within the PRD'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, and a variety of small equipment by users operating alongside large camping rigs in a confined camping area increases the need for safety practices.

III. DEFINITIONS

Class 1 E-Bike – 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.

Class 2 E-Bike – 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.

Class 3 E-Bike – 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.

E-bike – a device upon which an individual may ride that is equipped with a seat or saddle for use by the rider, fully operable pedals for human propulsion and an electric motor of not greater than 750 watts.

Electric Personal Assistive Mobility Device – a self-balancing nontandem 2-wheeled device, designed to transport only 1 person at a time, having an electrical propulsion system with average power of 750 watts or 1 horsepower and a maximum speed on a paved level surface of not more than 15 miles per hour.

Electric Skateboard – a wheeled device that has a floorboard designed to be stood upon when riding that is no more than 60 inches long and 18 inches wide, is designed to transport only 1 person at a time, has an electrical propulsion system with power of no more than

2,500 watts, and has a maximum speed on a paved level surface of not more than 25 miles per hour. An electric skateboard may have handlebars and, in addition to having an electrical propulsion system with power of no more than 2,500 watts, may be designed to also be powered by human propulsion.

Motor Vehicle – every vehicle that is self-propelled but does not include industrial equipment such as a forklift, a front-end loader, or other construction equipment that is not subject to registration. Motor vehicle does not include a power-driven mobility device when that power-driven mobility device is being used by an individual with a mobility disability. Motor vehicle does not include an electric patrol vehicle being operated in compliance with the electric patrol vehicle act. Motor vehicle does not include an electric personal assistive mobility device. Motor vehicle does not include an electric carriage. Motor vehicle does not include a commercial quadricycle. Motor vehicle does not include an electric bicycle. Motor vehicle does not include an electric skateboard.

Off Road Vehicle (ORV) – 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 [MCL 324.81101](#).

Other Power-Driven Mobility Devices (OPDMDs) – 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.

Wheelchair – manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion.

IV. POLICY AND PROCEDURES

1. Motor Vehicles

- A. The [Motor Vehicle Code](#) (Act No. 300, P. A. 1949) provides for the lawful operation of motor vehicles upon the highways of Michigan. PRD 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 (DNR) Administrative Rules and Land Use Orders of the Director provide additional information on the lawful operation of vehicles within division facilities.
- B. Motor vehicles addressed in Motor Vehicle Code may not be operated on PRD 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.
- C. "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.

2. Off Road Vehicles

- A. ORV's are defined under [MCL 324.81101](#) and must be registered in conformance with Natural Resources and Environmental Protection Act (Act 451).
- B. Certain types of motorcycles, dune buggies, and 4-wheel drive vehicles, which meet the requirements of the Motor Vehicle Code and are capable of off-road operation and may require two (motor vehicle and off-road vehicle) registrations if used on and off road.
- C. Michigan offers many trail riding opportunities. Michigan's public Off-Road Vehicle (ORV) trail/route system provides four types of riding opportunities: motorcycle trails, all-terrain vehicle (ATV) trails, ORV routes which are open to ORVs of all sizes including Secretary of State licensed vehicles, and scramble areas. Information for this type of riding can be found at: [Michigan DNR's Website](#).
- D. ORV's shall not be operated on PRD roads, parking areas or lands except under the following circumstances:
 - i. The ORV is licensed in conformance with the Motor Vehicle Code.
 - ii. The roads/parking areas have been opened to ORVs by PRD, or through the PA 288 process.
 - iii. Boating Access Site roads:
 - a. In the Lower Peninsula, an individual shall not enter, use, or occupy a state-operated public boating access site with an ORV except to set, place, erect, or use a fishing shanty, or to access a waterbody to operate an ORV on the frozen surface of public waters.
 - b. In the Upper Peninsula, an ORV may be utilized to access a state-operated public boating access site with an ORV except between April 1st and November 15th at those sites listed in [LUOD 9.22](#).
- E. ORV's registered in accordance with P.A. 451 may be operated on trails or areas established for these uses.

3. E-Bikes

- A. Trails - [MCL 324.72105](#)
 - i. An individual may operate a Class 1 E-Bike on linear trails that have an asphalt, crushed limestone, or similar surface, or a rail trail.
 - ii. An individual shall not operate an E-Bike on a trail that is specifically designated as nonmotorized and that has a natural surface tread that is

made by clearing and grading the native soil with no added surfacing materials.

B. Roads – [MCL 257.662a](#)

- i. An E-Bike may be operated on any part of a highway that is open to a bicycle, including, but not limited to, a lane designated for the exclusive use of bicycles and the shoulder.
- ii. PRD roads meet the definition in the motor vehicle code of a highway, and therefore are open to all classes of e-bikes.

4. Electric Skateboards

- A. [MCL 257.660](#) provides information on riding, among other equipment, an electric skateboard; and it provides the DNR the ability to regulate the use on all lands under its control.
- B. [LUOD 9.18\(2\)](#) prohibits operating of an unlicensed, wheeled motorized device capable of transporting a person on a park road or parking lot, unless otherwise permitted by posted notice. Use of such devices shall be permitted for individuals with mobility impairments.

5. Electric Personal Assistive Mobility Device (hoverboards, etc.)

- A. [MCL 257.660](#) provides information on riding, among other equipment, an electric personal assistive mobility device; and it provides the DNR the ability to regulate the use on all lands under its control.
- B. [LUOD 9.18\(2\)](#) prohibits operating of an unlicensed, wheeled motorized device capable of transporting a person on a park road or parking lot, unless otherwise permitted by posted notice. Use of such devices shall be permitted for individuals with mobility impairments.

6. Electric Golf Carts, Electric Toys, etc.

- A. Considered a motor vehicle by definition and would be required to be registered with the Secretary of State and to have a Recreation Passport for operation on PRD lands; neither can be obtained.
- B. [LUOD 9.18\(2\)](#) prohibits operating of an unlicensed, wheeled motorized device capable of transporting a person on a park road or parking lot, unless otherwise permitted by posted notice. Use of such devices shall be permitted for individuals with mobility impairments.
- C. Children may drive electrically powered toys or RC vehicles on their campsites or other designated area, but not on the roads.

7. Limited Mobility Conveyances

- A. Power Wheelchairs

- i. Wheelchairs must be allowed for use by individuals with limited mobility needs to be used anywhere on a property that is open to pedestrians.
- ii. 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.
- iii. Users of wheelchairs must exercise reasonable caution and operate the devices in a safe way based on trail conditions, user volume, other uses, weather conditions, etc.
- iv. Wheelchairs must be operated at a walking speed on similar terrain.
- v. Adoption of this policy does not constitute an endorsement that all PRD trails or other lands are safe for wheelchair use. All wheelchair use will be at the user's own risk.

B. Other Power-Driven Mobility Devices (OPDMDs)

Type, Dimension & Weight Criteria	Terrain Description	Examples	Permitted Areas	Justification
Device does not exceed 26" in width, 26" in length and weighs less than 250lbs; non gas-powered	Designed for use on interior walkways.	•Segway	•Indoors	i. Interior walkways vary in width; size and weight limits allows for safe passage. ii. Interior walkways can be congested with pedestrian traffic. iii. Gas-powered engines create a health-risk indoors. iv. Speed limited to walking speed for the safety of other pedestrians. v. No risk to environment or natural resources indoors.
Device does not exceed 36" in width, 48" in length and weighs less than 500lbs.	Designed for use on soft, uneven, steeply graded or rocky surfaces.	•Segway •Electric scooter	•Natural Tread Trails •Dispersed recreational use •Forest Road	i. PRD trails vary in width; size allows for safe two-way passage. ii. PRD trails can be congested with pedestrian traffic; size limitations in place for safety. iii. Trails may have varying slope and surface conditions. iv. Speed limited to walking speed for the safety of other pedestrians. v. Size and weight limitations in place to protect natural tread.
Device does not exceed 48" in width, 95" in length and weighs less than 1500 lbs.	Designed for use on exterior walkways or routes.	•Segway •Electric scooter •Electric golf cart	•Linear trails •Campground Roads •Exterior pedestrian routes at facilities	i. PRD trails vary in width; size allows for safe two-way passage. ii. PRD trails can be congested with pedestrian traffic; size limitations in place for safety. iii. Trails may have varying slope and surface conditions. iv. Speed limited to walking speed for the safety of other pedestrians. v. Size and weight limitations in place to protect infrastructure.
<i>*Only persons with mobility impairments may use these devices unless a companion is needed.</i>				
<i>*OPDMD's must be operated at a walking speed on similar terrain (Exception: an e-bike used as a OPDMD may be used at speed similar to other bicycles).</i>				
<i>*Users of OPDMDs must exercise reasonable caution and operate the devices in a safe way based on trail conditions, user volume, other uses, weather</i>				

- i. **Assessment Factors** - The following assessment factors were considered in determining whether a particular OPDMD would be allowed in a specific area as a reasonable accommodation:
 - a. The type, size, weight, dimensions, and speed of the device.
 - b. The facility's volume of pedestrian traffic (which may vary at different times of the day, week, month, or year).
 - c. The facility's design and operational characteristics (e.g., whether its business is conducted indoors or outdoors, its square footage, the density and placement of furniture and other stationary devices, and

- the availability of storage for the OPDMD if needed and requested by the user).
 - d. Whether legitimate safety requirements (such as limiting speed to the pace of pedestrian traffic or prohibiting use on escalators) can be established to permit the safe operation of the OPDMD in the specific facility; and
 - e. Whether use of the OPDMD creates a substantial risk of serious harm to the immediate environment or natural or cultural resources or poses a conflict with Federal land management laws and regulations.
- ii. Only persons with mobility impairments may use these devices unless a companion is needed.
- iii. 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.
- iv. Users of OPDMDs must exercise reasonable caution and operate the devices in a safe way based on trail conditions, user volume, other uses, weather conditions, etc.
- v. OPDMDs that are powered by a gas-powered internal combustion engine are prohibited in all indoor PRD facilities. Gas-powered OPDMDs present a substantial risk of harm to operators, visitors, due to their internal combustion engines and relatively large dimensions, weight, driving range and/or horsepower.
- vi. OPDMD's must be operated at a walking speed on similar terrain.
 - a. This does not apply to an e-bike when being used as an OPDMD; these devices may operate at speeds similar to other bicycles on similar terrain.
- vii. Adoption of this policy does not constitute an endorsement that all PRD trails or other lands are safe for OPDMD use.
 - Due to the variety of OPDMDs available and the fact that most PRD trails were not designed for such use, visitors with mobility impairments should use their judgment in assessing the practicality of using their device on a particular trail. Due to slope, surface condition, or many other factors OPDMD use may be physically impossible or unsafe even when allowed. All OPDMD use will be at the user's own risk.
- viii. Users of OPDMD which do not meet the criteria of devices allowed may request an evaluation of their device by submitting a written request to the

managing unit of the facility (i.e.: permits for use at Field Dog Trials, or other uses that are not consistent with this policy). Approval of any exceptions will be done in coordination with the PRD Regulatory Unit.

V. ROLES AND RESPONSIBILITIES

These instructions should be followed as closely as possible and altered only with the approval of the Parks and Recreation Division Office.

VI. COMPLIANCE

The PRD staff shall comply with this policy to provide consistency in acceptable means of transportation for our users along pedestrian and motorized transportation systems division administered facilities.

VII. APPLICABLE REGULATIONS, STATUTES & RELATED POLICIES

[LUOD 9.18\(2\)](#)

[LUOD 9.22](#)

[MCL 257.660](#)

[MCL 257.662a](#)

[MCL 324.72105](#)

[MCL 324.81101](#)

[Motor Vehicle Code](#)

VIII. APPROVAL and EFFECTIVE DATE

This Policy and Procedures is approved by and effective as of the date set forth below:



Ron Olson, Chief
Parks and Recreation Division

5/12/2023

Date



Keweenaw Heartlands Update

Tori Irving
Upper Peninsula Field Analyst
Office of Public Lands

Keweenaw Heartlands Update



Partnership with the Nature Conservancy

- ☐ Keweenaw Heartlands Meetings
- ☐ Inventory Project
- ☐ Outreach

Keweenaw Heartlands Update



- ❑ \$5M MNRTF approved, appraisal process is beginning
- ❑ LEFF & Additional Land and Water Conservation Act
- ❑ In 2024 Parks & Recreation Division to begin planning for 18,000 acres
- ❑ Area will be managed by staff at Ft. Wilkins; may have a different look than traditional DNR-managed lands:
 - Forest Carbon Project
 - Forest Certification
 - State Land Use Rules
 - Land Use Orders of the Director
- ❑ Exploring two designations to spotlight uniqueness and bring additional resources to the area