



**Hudson River  
Valley Greenway**

**Hudson River Valley Greenway Accessibility Policy:  
Use of Power-Driven Mobility Devices by People with Disabilities  
on the Albany-Hudson Electric Trail  
Adopted March 9, 2021**

**Introduction**

The Albany-Hudson Electric Trail (AHET) is a 36-mile bicycling and pedestrian route in Rensselaer and Columbia Counties, constructed and operated by the Hudson River Valley Greenway (HRVG). The majority of the AHET route is an off-road “rail trail”. The remainder consists of on-road sections, where the route is designated on the shoulders of public roadways.

HRVG strongly supports and welcomes use of the AHET trail by people with disabilities, in conformance with state and federal laws, regulations, and policies.

The design and construction of the AHET trail is fully compliant with the Americans with Disabilities Act (ADA). Off-road trail sections are 10 to 12 feet wide and have gentle grades, typically less than 1.5% (a few short trail segments have steeper grades, but all are less than 5.0%). Most of the trail is paved asphalt; some rural sections have a compacted stonedust surface which is fully accessible. Locations where the trail crosses public roadways meet ADA requirements, including flush curbs and detectable warning strips. There are nine designated trailhead parking areas along the trail – all have designated accessible parking spots and hardened access paths from the parking area to the trail.

AHET is a non-motorized recreational trail, available for bicycling and walking.

HRVG recognizes some people with mobility disabilities may not be able to walk, bicycle, or utilize a human-powered wheelchair or similar device. Accordingly, people with mobility disabilities are allowed to operate certain types of electric-powered mobility devices, which are listed below, on the AHET trail.

Note: This policy applies to off-road sections of the AHET trail only. Rules governing the use of motorized equipment on on-road sections of the AHET route are adopted by the state or local government entity that owns the particular roadway. HRVG does not have authority to modify laws and regulations applicable to public roadways.

## **Federal ADA Requirements**

The United States Department of Justice (DOJ) rules implementing the Americans with Disabilities Act (ADA) require public entities to allow people with disabilities who use manual or powered wheelchairs or scooters, and manually-powered mobility aids such as walkers, crutches, and canes, to use such devices in any areas open to pedestrian use (which includes the AHET trail). Public entities must also make reasonable modifications in its policies, practices, or procedures to permit the use of other power-driven mobility devices (OPDMDs) by individuals with mobility disabilities, unless the entity can demonstrate that the type of OPDMD cannot be operated because of legitimate safety requirements or damage to natural resources.

HRVG is committed to enabling the use and enjoyment of the AHET trail by visitors with mobility limitations. HRVG has adopted this OPDMD policy to enhance access to the AHET trail, consistent with HRVG's obligation to protect the safety of trail users and conserve natural and cultural resources.

## **Definitions and Criteria**

**OPDMD:** An "Other Power-Driven Mobility Device" (OPDMD) is any mobility device (that is not a wheelchair) powered by batteries, fuel, or other engines (whether or not designed primarily for use by individuals with mobility limitations) that is used by individuals with mobility limitations for the purpose of locomotion.

**Person With A Mobility Disability.** A "person with a mobility disability" may require use of an OPDMD to utilize the AHET trail. HRVG employees and representatives shall not question an individual using a wheelchair or OPDMD about the nature or extent of the individual's disability. However, HRVG staff and representatives may ask for a credible assurance that the mobility device is required because of a disability. HRVG will accept presentation of a government-issued disability parking placard or other government-issued proof that the OPDMD is needed for the individual's mobility disability. In lieu of government-issued proof of disability, HRVG shall accept a verbal representation, not contradicted by observable fact, that the OPDMD is being used for a mobility disability.

## **Approved OPDMDs**

People with mobility disabilities are authorized to operate the following types of electrically powered mobility devices (OPDMDs) on the AHET trail:

1. **Wheelchairs.** A person with a mobility disability may operate an electric-powered wheelchair, that is 36" or less in width, on the AHET trail.
2. **Electric Scooters.** A person with a mobility disability may operate an electric-powered scooter, that is 36" or less in width, on the AHET trail.

3. **E-Bikes.** A person with a mobility disability may operate an Electric Bicycle (E-Bike) on the AHET trail, provided the person shall operate an E-Bike at less than 20 mph at all times.
4. **Segways.** A person with a mobility disability may operate a Segway or similar type of electric motorized self-balancing device on the AHET trail.
5. **Electric Golf Carts.** A person with a mobility disability may operate an electric golf cart on the AHET trail, provided that: a) the vehicle must display a government-issued handicapped parking placard at all times while operating on the AHET trail; and b) the golf cart shall be operated at a speed of 5 mph or less at all times.

### **Prohibited OPDMDs – Gas-Powered Vehicles & Equipment**

HRVG has determined that gas-powered OPDMD vehicles and equipment are prohibited on the AHET trail because their size, width, weight, and potential speeds pose risks to the safety of trail users and impair the trail’s cultural and natural resources.

Also, engine noise can produce a significant zone of disturbance to native wildlife and can negatively impact visitor experience. Noise presents a health risk to trail users when it exceeds 70dB, which the World Health Organization has set as a maximum safe noise level in the workplace. Many gas-powered devices, such as ATVs and motor bikes, have the capacity to routinely exceed this threshold level under otherwise normal operating conditions.

The “gas-powered” prohibition includes equipment or vehicles that use gasoline, diesel, natural gas, propane, or other fossil fuels. Examples of gas-powered vehicles prohibited on the AHET trail include: motor vehicles; motor cycles; dirt bikes; all-terrain vehicles (ATVs); utility task vehicles (UTVs); gas-powered golf carts; and snowmobiles.

### **Related Restrictions and Issues**

- OPDMDs must be operated safely at all times and must yield to other non-powered users.
- The AHET trail is open for public use from dawn to dusk only (OPDMDs are prohibited during nighttime hours).
- This policy applies only to off-road sections of the AHET trail. This policy does not apply to use of powered OPDMD devices on public roadways. Rather, operation of motorized equipment on public roadways is governed by State law and local government ordinances.
- NYS law requires operators of certain types of motorized equipment to wear a helmet. OPDMD users shall wear an appropriate helmet when required by State law.
- The AHET trail is not plowed to clear snow and ice during winter months.

- For public safety, metal bollards exist at some trail bridges and other locations to prevent unauthorized motor vehicle use on the trail. All bollards have at least 48-inch openings in conformance with ADA standards.
- HRVG reserves the right to modify this policy in the future, as appropriate.