



CITY OF MIAMI ADA PROCEDURE

SUBJECT: MOBILITY DEVICES

PURPOSE: To establish guidelines for Mobility Devices utilized by persons with disabilities in/on City facilities and property.

PROCEDURE: The City of Miami will generally permit mobility devices utilized by disabled individuals in City facilities into all areas of the facility where the public is normally allowed. Exceptions to this policy may be made when the program or services offered would be fundamentally altered or its safe operation in jeopardy.

Use of wheelchairs and manually-powered mobility aids. The City of Miami shall permit individuals with mobility disabilities to use wheelchairs and manually-powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use.

Use of other power-driven mobility devices. The City of Miami shall make reasonable modifications in its policies, practices, or procedures to permit the use of other power-driven mobility devices by individuals with mobility disabilities, unless the City can demonstrate that the class of other power-driven mobility devices cannot be operated in accordance with legitimate safety requirements.

Assessment factors. In determining whether a particular other power-driven mobility device can be allowed in a specific facility as a reasonable modification, The City shall consider—

- (i) The type, size, weight, dimensions, and speed of the device;
- (ii) The facility's volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
- (iii) The facility's design and operational characteristics (*e.g.*, whether its service, program, or activity is conducted indoors, its square footage, the density and placement of

stationary devices, and the availability of storage for the device, if requested by the user);

- (iv) Whether legitimate safety requirements can be established to permit the safe operation of the other power-driven mobility device in the specific facility; and
- (v) Whether the use of the other power-driven mobility device 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.

Inquiry about disability. The City shall not ask an individual using a wheelchair or other power-driven mobility device questions about the nature and extent of the individual's disability.

- Inquiry into use of other power-driven mobility device. The City **may** ask a person using another power-driven mobility device to provide a credible assurance that the mobility device is required because of the person's disability. Should the City permit the use of another power-driven mobility device by an individual with a mobility disability, the City shall accept the presentation of a valid, State-issued, disability parking placard or card, or other State-issued proof of disability as a credible assurance that the use of the other power-driven mobility device is for the individual's mobility disability. In lieu of a valid, State-issued disability parking placard or card, or State-issued proof of disability, The City shall accept as a credible assurance a verbal representation, not contradicted by observable fact, that the other power-driven mobility device is being used for a mobility disability. A "valid" disability placard or card is one that is presented by the individual to whom it was issued and is otherwise in compliance with the State of issuance's requirements for disability placards or cards.

Questions and/or concerns regarding this procedure may be directed to: Patrice Rey, Safety Manager/ADA Coordinator at (305) 416-1732; email prey@miamigov.com.