



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT  
P.O. BOX 17300  
FORT WORTH, TX 76102-0300

CESWF-OP

13 January 2022

MEMORANDUM FOR O&M DISTRIBUTION #2  
Number (POL-22-01)

SUBJECT: Policy on Motorized Vehicles and Other Power-Driven Mobility Devices.

1. **References:**

- a. Title 36 CFR §327 Rules and Regulations Governing Public Use of Water Resource Development Projects Administered by the Chief of Engineers.
- b. Title 7 Texas Transportation Code §§ 551.403 & §§ 664.001.
- c. DOJ Pamphlet: *Wheelchairs, Mobility Aids, and Other Power-Driven Mobility Devices*, dated 13 January 2014.

2. **Purpose:** This policy clarifies the rules and restrictions on the use of Motorized Vehicle on Federal lands managed by the U.S. Army Corps of Engineers Fort Worth District, Operations Division (project lands).

3. **Definitions:**

- a. Motorized Vehicle – any vehicle propelled by any type of motor, (typically gasoline, or electric, etc) that exceeds 1 horsepower (hp).
- b. Off-Highway Vehicle (OHV) – any Motorized Vehicle designed for off-highway usage such as, but not limited to, All-Terrain Vehicles, Recreational Off-road Vehicles, Utility Vehicles, Golf Carts, Dune Buggies, etc.
- c. Electric Bicycle (E-Bike) – any bicycle with an electric motor that assists the rider in propelling the bike while the operator is pedaling. E-Bikes do not include fully electric cycles without pedals.
- d. Other Power-Driven Mobility Device (OPDMD) – any Motorized Vehicle (e.g. golf carts, neighborhood electric vehicles, powered wheelchairs, electric scooters, Segways, etc) or other power-driven device used by an individual with mobility impairments and limitations.

4. **Policy:** To promote the health and safety of all recreational users of our lands, and to protect our natural and cultural resources, and our facilities, the operation of Motorized Vehicles, Off-Highway Vehicles, and E-bikes are hereby limited as follows, to wit:

a. Motorized Vehicles. In accordance with Texas law, only Motorized Vehicles that may be legally driven on area highways and roads with posted speed limits of 35 mph and above are authorized to operate on project roads.

b. Off-Highway Vehicles. Operation of any type of OHV on roads, trails, or any other area operated and/or maintained by the U.S. Army Corps of Engineers is prohibited.

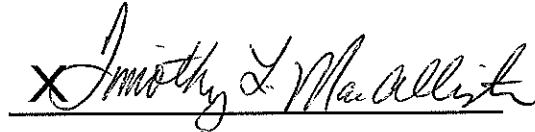
Exception. Certain types of OHV's are capable of being used effectively by individuals with mobility impairments or limitations as OPDMD devices. Under such circumstances, exceptions to policy are to be granted on a case-by-case basis by lake managers (or designees) via a written permit. Patrons should request and obtain the necessary permit prior to using the OHV on any project lands, to include campgrounds. Permitted OHV's shall display a disability placard and shall only be operated by the individual(s) with the qualifying mobility impairment or limitation named on the permit. A state issued driver's license is needed to obtain a permit.

c. Electric Bicycles. E-bikes may be ridden on project roads and most of the bike trails where traditional bicycles are allowed. However, E-bikes are NOT authorized to be ridden on trails rated intermediate difficulty or higher for the safety of other trail users and environmental features.

Exception. Class 1 E-bikes are capable of being safely ridden by individuals with mobility impairments or limitations as OPDMD devices. Under such circumstances, exceptions to policy are to be granted on a case-by-case basis by lake managers (or designees) via a written permit unless articulable safety risks based on specific trail conditions warrant denial. Such denials must be in writing and provided to the rider. Riders may appeal denials in writing to the undersigned. Riders must request and obtain the necessary permit prior to using an E-bike on such trails. Class 1 is an official classification of e-bikes and consists of those e-bikes that when operating on a paved and level surface by a person weighing 170lbs may reach a maximum speed of not more than 20 mph while the rider is pedaling, at which point the motor automatically disengages. Class 2 and higher rated E-bikes are NOT authorized on trails rated intermediate difficulty or higher under any circumstances.

5. **Violations:** Violators of this policy may be ordered to leave the premises and cited under Title 36 of the Code of Federal Regulations § 327.

6. **POC:** Mr. Adam N. Tarplee, Natural Resources Manager at (817) 886-1608.

A handwritten signature in cursive script, reading "Timothy L. MacAllister", is written over a horizontal line. The signature is written in black ink.

TIMOTHY L. MACALLISTER  
Chief, Operations Division

# OHV / E-Bike Permit

(for use as OPDMD by individuals with mobility impairments and limitations)

\_\_\_\_\_  
Date Issued

\_\_\_\_\_  
Permit Number

\_\_\_\_\_  
Full Name(s)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Driver's License No./ State Issued (Not applicable to E-bike permits)

Description of OHV / E-bike being permitted: \_\_\_\_\_  
\_\_\_\_\_

**Permittee(s) hereby agree / attest to the following terms and conditions:**

1. Permittee has a mobility impairment or limitation necessitating the use of the OPDMD.
2. For E-bikes only. Permittee certifies the E-bike identified above is a Class 1.
3. For OHV's only.
  - a. Permittee(s) has a valid state issued driver's license.
  - b. Only the Permittee(s) will operate the OHV.
  - c. Permittee(s) will have this permit in his/her possession when operating the OHV.
  - d. Permittee(s) will only operate the OHV during daylight hours and only on roads, and in parking lots, and in areas within campgrounds where vehicular traffic is allowed.
  - d. Permittee will not allow passengers to ride on the OHV unless the vehicle was specifically designed and manufactured to provide for the same.
4. For both E-bikes and OHV's:
  - a. Permittee shall abide by applicable state laws and regulations.
  - b. Permittee shall NOT operate the OHV or E-bike in a careless, negligent, or reckless manner so as to endanger any person, property, or the environment.
5. **Hold Harmless and Indemnification.** Permittee(s) hereby (1) assumes all risks and liabilities of any nature arising from Permittee's or others use of the permitted OHV or E-bike on project property, (2) shall be solely liable for any and all accidents, injuries, and property damages to his self /herself and third parties arising from or caused by the operation and use of the OHV or E-bike herein permitted, (3) holds the United States and its agents and assigns harmless, and (4) indemnifies the United States, its agents and assigns for any claims or causes of action arising therefrom.
6. **Violations.** Operating an OHV or E-bike outside of these terms and conditions of this permit is prohibited and could result in a citation under 36 CFR Chapter III, Part 327, revocation and confiscation of the permit, or both.

\_\_\_\_\_  
Signature of Permittee(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Lake Manager

\_\_\_\_\_  
Date