

AN ORDINANCE REGULATING OPERATION OF MOTORIZED WHEELCHAIRS AND OTHER INDIVIDUAL TRANSPORTATION DEVICES BY PHYSICALLY DISABLED PERSONS ON PUBLIC ROADWAYS AND PARK TRAILS WITHIN THE CITY OF OAK PARK HEIGHTS.

705.10. Definitions.

The following definitions shall apply in the administration and enforcement of this Ordinance.

“Operate” shall mean to ride in, or on, and control the operation of a motorized wheelchair or other motorized individual transportation device.

“Physically Disabled” shall mean any person who, because of physical disability, (a) cannot walk without sufficient risk of falling; (b) cannot walk 200 feet without stopping to rest; (c) cannot walk without the aid of another person, walker, cane, crutches, braces, prosthetic devices, and/or wheelchair; (d) is restricted by respiratory disease to an extent that the person’s forced (respiratory) expiratory volume for one second when measured by Spirometry is less than one liter; (e) has an arterial oxygen tension (PAO₂) of less than 60 mm/hg; (f) uses portable oxygen; (g) has a cardiac condition to the extent that the person’s functional limitations are verified by their personal physician as requiring assistance for transportation purposes; (h) has lost an arm or a leg and does not have or cannot use an artificial limb; (i) has a disability that would be aggravated by walking 200 feet or more under normal environmental conditions as verified by their personal physician.

“Right-of-way” shall mean any street, avenue, place, drive or other public drive in the City of Oak Park Heights.

“Motorized individual transportation devices” shall mean those special vehicles limited to persons who require assistance because of physical infirmity in their personal transportation with such devices being limited to the capacity of carrying or transporting a single individual.

705.020 Operation on Public Property.

No person shall operate a motorized wheelchair or motorized individual transportation device within the public right-of-way of any trunk state or county highway, state aid or City street within the City of Oak Park Heights except as allowed under this Ordinance. On right-of-way designated for City streets, motorized wheelchairs or motorized individual transportation devices shall be permitted only on the shoulder of the roadway or, in the absence of an improved shoulder, on the right-hand-most portion of the roadway and in the same direction as the street traffic on the nearest lane of the roadway adjacent thereto. No person shall operate a motorized wheelchair or motorized individual transportation device within the public right-of-way of any trunk state or county

highway, state aid or City street between the hours of one-half hour after sunset and one-half hour before sunrise.

All such persons operating motorized wheelchairs or motorized individual transportation devices shall display the slow-moving vehicle emblem thereon as required by Minnesota Statute §169.522.

The operation of motorized wheelchairs or motorized individual transportation devices for all persons who are physically disabled shall be allowed on the park and public trails existing within the City of Oak Park Heights. The operation of police, fire and emergency vehicles and public works vehicles shall be allowed in the park and public trail systems of the City of Oak Park Heights. Except as otherwise provided herein no motorized vehicles shall be allowed on the public trail systems of the City of Oak Park Heights. No motor vehicles except as provided herein shall be allowed in the City Parks of the City of Oak Park Heights except on established and paved parking surfaces posted for that purpose.

Passed: April 10, 2001