



## Municipal BMX bicycle PARKS AND TRAILS

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**This past year**, a number of municipalities have been petitioned by residents to provide BMX bicycle parks and/or trails for their children. The question that municipalities are asking is: *“What should we be doing to reduce the risk of liability for these parks/trails?”*

Before seriously considering providing a BMX bicycle trail/park you should consider the risks associated with this activity, the safeguards needed to prevent injuries and possible liability and the ongoing inspection and maintenance that will be needed.

It is well known that BMX bicycle riders may suffer injuries ranging from scrapes and scratches to broken limbs, severe head injuries and in extreme cases, even death. The use of protective gear (helmets, elbow pads, knee pads and sturdy shoes) are highly recommended for all cyclists.

Due to the nature of the sport which involves riding bicycles over uneven, undulating terrain with sudden turns and jumps, the participants have a higher than normal exposure to injury.

This risk raises the standard of care that must be provided by the park operator to ensure that there are no hazards or obstacles that are not a normal part of this type of facility. (This would include holes, soft spots, sharp drop-offs or collision obstacles.)

Providing a safe and well-maintained facility with adequate controls is the key to meeting your due diligence requirements.

### PARK AND TRAIL DESIGN

It is highly advisable that the municipality meet with the cyclists and their parents to determine the design for park/trail that will meet their needs without presenting unreasonable safety hazards. (Remember that the trail will be used by both experienced and novice cyclists.)

Restricting the BMX park/trail to bicycle use only will reduce the potential danger when more than one type of



activity is permitted on the same park/trail. Motorized vehicles, motorcycles, snowmobiles and all terrain vehicles must be strictly prohibited from using the park/trail.

Involving the cyclists in the planning stage will encourage the use of the park/trail and help to reduce makeshift changes to the trail that often occur when the cyclists are not happy with the design.

Unauthorized changes experienced in some parks include such things as: holes dug in or beside the trail or after jumps, increasing the elevation or shape of jumps to extreme heights or the addition of makeshift ramps or other unsafe materials onto the trail. These changes

increase the risk factor and your potential to be held liable for injuries if not corrected promptly.

Once the design is completed, obtain agreement from the cyclists and parents that they will not make changes to the trail without approval from the municipality.

A review process should be planned once the trail has been completed and the cyclists have had a chance to try it out.

### PARK AND TRAIL CONSTRUCTION

Hills should be shaped and packed to ensure that the hills are stable (no holes or hollow spots) and slopes are no greater than 45°.

It is important that there are no sudden drop-offs from the hills or trails where cyclists could be injured if they ran off the trail. Some trails are being set up to run through wooded areas so care needs to be taken to ensure that there are no obstacles (trees, rocks etc.) that cyclists could hit if they ran off the trails, especially after a hill or a jump.

Ensure that the trails are located far enough away from roadways or walkways that cyclists will not come in contact with

vehicles or pedestrians even if they accidentally run off the trail.

## PARK INSPECTION AND MAINTENANCE

It is very important that the park, trail, approaches etc. are inspected at least weekly to remove debris, repair any damage and to ensure that there are no unusual hazards (holes, jumps, ramps or other material) that were not part of the original design.

If possible, get the parents and the cyclists involved with monitoring and maintaining the park/trail to ensure that the park/trail remain safe for all users. At the very least, get them to agree to notify the municipality when they notice problems.

Any problem areas noted should be repaired immediately or the park/trail should be shut down until repairs can be made.

It is vital that all inspections and repair work be documented and records of inspections and repairs be kept as evidence of the duty of care taken to maintain the park/trail.

*Providing a safe and well-maintained facility with adequate controls is the key.*

## SIGNAGE

Signage should be located at the entrances to the park that detail the rules for the park, recommendation for the use of helmets and protective gear, prohibited items and reminders about the safe use and maintenance of the park.

Hours for park operation should be posted such as: 9:00 a.m. to ½ hour before sunset, to reduce injuries from riding in the dark and to reduce vandalism which occurs more frequently after dark. If you have a trespassing by-law, it should be posted as well to allow police to remove loiterers after hours.

A phone number should be provided to report any problems or concerns about the park/trail use or maintenance.

## GUIDELINES

A copy of *BMX Bicycle Park/Trail Guidelines* and signage suggestions are available on the HED Insurance website at: [www.bedinc.com/amm/pdf/risk/AMM\\_Risk-ManagementBMXParks.pdf](http://www.bedinc.com/amm/pdf/risk/AMM_Risk-ManagementBMXParks.pdf)

For additional information or questions please contact Ken Fingler at HED Insurance and Risk Services at 1-800-665-8990 ext 7279 or at [kfingler@bedinc.com](mailto:kfingler@bedinc.com).

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