



*Tina Danzy, Executive Director*

*Pittsfield Housing Authority*

65 Columbus Ave, Pittsfield, MA.01201

(413) 443-5936

Fax (413) 443-7294

[www.Pittsfieldhousing.org](http://www.Pittsfieldhousing.org)

## **E-Bikes, Mobility Scooters, & Power-Driven Mobility Device Policy**

### 1. Purpose and Scope

This policy governs the use, storage, and charging of mobility scooters, power wheelchairs, e-bikes, and other power-driven mobility devices (OPDMD's) by residents, guests, and visitors on Pittsfield Housing Authority (PHA) premises, including common areas, parking, garages, corridors, and inside units, to balance mobility access, fire and safety, and property protection.

### 2. Definitions

- a. Mobility Scooter/Power Wheelchair: A device powered by a battery used by individuals with mobility disabilities.
- b. E-bike (electric Bicycle): A bicycle equipped with an electric motor. Under MA law, an "electric bicycle" is not treated as a motor vehicle.
- c. Other Power-Driven Mobility Device (OPDMD); Any mobility device powered by battery, fuel, or other engines used by individuals with mobility disabilities (Per ADA guidance, Chapter 151B, Section 804 CMR).
- d. Common Areas: Hallways, lobbies, entryways, stairwells, corridors, garages, service areas, etc.

### 3. Legal Basis and Accommodation Duty

- a. The Pittsfield Housing Authority must evaluate requests for use of mobility devices as reasonable accommodations under federal and state fair housing laws.
- b. Under ADA/DOJ rules, devices used by persons with disabilities must generally be allowed in areas open to the public unless a specific device cannot be safely accommodated.
- c. The Pittsfield Housing Authority may not charge extra fees or require additional deposits solely because a resident uses a mobility device, as a condition of reasonable accommodation.
- d. The Pittsfield Housing Authority may enforce neutral safety rules (e.g. regarding operation, storage, charging) so long as they do not unduly burden disabled users.

#### 4. Use and Operation on the Premises

- a. Devices may be used on outdoor pathways and ramps, parking lots, sidewalks, and in publicly accessible indoor areas (e.g. lobbies), unless safety concerns mandate restriction.
- b. Use of devices inside hallways, stairwells, or narrow corridors is limited to those whose mobility dictates, and only where device dimensions allow safe passage.
- c. Speed must be controlled at a safe pace (e.g. not faster than pedestrian walking speed)
- d. Operators must yield right-of-way to pedestrians, use caution, and avoid interfering with other residents or blocking egress.
- e. Devices must be in good working condition (brakes, lights, etc.). The Pittsfield Housing Authority may require that poorly maintained or unsafe devices be removed or repaired.

#### 5. Storage & Parking of Devices

- a. Residents must store devices in unit when not in use. Devices may not block hallways, fire doors, stairwells or egress paths.
- b. Devices may not be left unattended in common walkways, entryways, or vestibules.
- c. Residents should secure devices (lock, tether) to prevent tipping, theft or damage.

#### 6. Charging & Battery Safety

- a. Charging in hallways, corridors, stairwells or non-designated rooms is prohibited.
- b. Only manufacturer-approved charges and batteries may be used: use of modified, homemade, or uncertified battery systems is prohibited.
- c. Residents must monitor charging; extended unattended charging (e.g. overnight) will be restricted.
- d. The Pittsfield Housing Authority may require periodic inspection of battery conditions.
- e. and reserves the right to deny use of devices with damaged or high-risk batteries.

#### 7. Approval/Registration/Documentation

- a. Residents wishing to keep a device in their unit or access the common area must submit a request, including device type, dimensions, battery specs, proof of ownership, and, when requested, medical documentation showing the need for the device.
- b. The Pittsfield Housing Authority will assess whether the device can be accommodated safely and issue approval or suggest an alternative.

- c. The Pittsfield Housing Authority may request proof of liability insurance or indemnification in certain cases (though cannot condition a reasonable accommodation on a fee or deposit).
- d. Approval may be rescinded if the device causes safety issues, repeated violations, or damage.

#### 8. Enforcement, Non-Compliance and Appeals

- a. Violations of this policy (unsafe operation, blocking egress, unauthorized charging) will be subject first to written warning, then removal or relocation of the device, and eventual revocation of permission if persistent.
- b. Residents may appeal such decisions or request modifications; appeals will be handled via a process that considers disability impacts.
- c. The Pittsfield Housing Authority may relocate devices at the resident's cost (after notice), if necessary for safety or compliance.

#### 9. Periodic Review and Safety Audits

- a. The Pittsfield Housing Authority will monitor incidents, fire reports, complaints, and near misses relating to mobility device use.
- b. The Policy will be reviewed periodically or when new device types emerge, safety standards evolve.
- c. Coordination with the local fire marshal or building inspector is required to ensure compliance with building/fire code.

#### 10. Miscellaneous Provisions

- a. The Pittsfield Housing Authority disclaims liability for personal injury or property damage from device use, except to the extent of PHA negligence, subject to applicable law.
- b. The policy does not limit the rights of residents to seek further modifications or accommodation under federal or state disability laws.
- c. The PHA reserves the right, in exceptional circumstances, to restrict devices (e.g. very large, heavy devices) if they cannot be accommodated safely after review.

Approved: Board of Commissioners 2-17-26