



RISK MANAGEMENT INFORMATION

## BICYCLE MOTORCROSS (BMX) FACILITIES INFORMATION & LOSS CONTROL GUIDELINES

### What is a BMX Facility?

A BMX facility is a bicycle motorcross course that provides artificially developed earth structures to be used by bicycle riders. BMX became popular in the early 1970's by imitating motorcycle motorcross racing facilities.

### Design

There are no national standards for constructing a facility. Some design recommendations are:

- Users should be included in the design process;
- The ideal location for a facility is in an existing or new park with access to restrooms, drinking fountains and shade trees
- It should not be located in a residential area due to traffic, noise etc.

### Injuries and Liability

Injury and liability potential certainly exist for a city with a BMX facility. These potential liability exposures for cities include injuries to users, spectators and bystanders due to:

- Negligent design
- Negligent maintenance
- Negligent supervision
- Failure to warn of dangerous conditions

### What are the options for a municipal government?

Local governments have several options for providing a BMX facility including:

1. The city can build a facility and operate it as part of its parks and recreation department.
2. The city owns the facility and an association operates it.
3. The city owns the facility and an association leases the property and operates it.
4. A nonprofit association owns and operates the facility on private property.

For the last three options, participants can create a nonprofit association to build and maintain the facility. By leasing (or selling) land to the group to construct and run a facility, the city would be able to transfer liability risk to the association. The contract between the city and the association should contain proper hold harmless/indemnification language and requirements for the group to have proper insurance.

## **AMIC coverage for BMX Tracks**

AMIC covers member cities for general liability when they operate BMX tracks for purely recreational use, at no additional premium.

However, if the track is used for racing/competition, then the city must obtain separate insurance from the sanctioning organization such as the American Bicycle Association (ABA). The city should receive a certificate of insurance, have a hold harmless/indemnification agreement, and be named as an additional insured.

## **Loss Control**

If the city has a BMX track or is considering constructing one, it should consider the following in order to reduce the risks of injuries.

### **Maintenance**

The city must develop a regular system of maintenance for the facility. This includes periodic inspections. Any dangerous condition should be fixed as soon as possible or a warning device such as a barricade, cone or sign used.

### **Facility rules**

The city should develop rules to govern the operation of the facility. These could include hours of operation; prohibitions of particular conduct (e.g. no smoking, no profanity, no roughhousing); Types of equipment allowed (BMX bicycles, no scooters, no motorized vehicles etc.; Direction of traffic; No weapons; No glass containers etc.

### **Signage**

The rules should be posted in visible locations and be easily understandable. Use pictographs, if feasible. If there is a significant number of users that speak a different language, have signs in their language.

There should also be warning signs for any risks that the city knows about and cannot eliminate. You wouldn't put up a warning sign for something that is part of the sport but you would if there is an unusual risk that is not obvious. It is better to warn of the particular risk than to say "Use at Your Own Risk".

### **Supervision**

Will this facility be supervised or unsupervised? If unsupervised, the city should still have a plan for periodic enforcement of the rules by police or parks' employees.

### **Employee training**

If it is supervised, the employees should be given basic training on the rules of the facility and what their role is in enforcement of those rules. They also should be trained on emergency procedures including first aid and incident documentation. The city's bloodborne pathogen policy would also cover this type of a facility.

### **Personal protective gear**

The city should require riders to use personal protective gear at supervised facilities or strongly recommend its use at unsupervised facilities. Types of gear are:

- Helmets
- Leather gloves
- Long sleeved shirts
- Long pants
- Close-toed shoes
- Elbow pads
- Knee pads
- Wrist guards

### **Waivers**

If it is a supervised facility or if races are held, the city should use waivers signed by the participant and the parents if under 18. Waivers may be enforced to dismiss a negligent claim or they can be used to show the assumption of the risk.

### **Documentation.**

Document all actions regarding the facility including maintenance, training, etc.

### **Bicycle Equipment**

Riders should inspect their bicycle every time before they ride. This would include tightening any bolts or screws and checking to see that the frame and forks are in good repair. Generally, a bicycle used on a BMX track should have the following:

- No kickstands, chain guards, fenders, reflectors, or brackets
- Handlebar grips that cover any metal.
- Padding on the top tube, stem and handlebar crossbar
- Seat should be fastened securely
- Brakes in good working order

### **Spectator safety**

If the facility will be used for spectators, the city should consider fencing and other safeguards.