

New Policy

Establishes rules for the safe use of skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, and similar wheeled devices on University property.



NORTH CAROLINA A&T STATE UNIVERSITY

CHAPTER 400 – SAFETY AND HEALTH

UNIVERSITY POLICY 410, SKATING AND HAZARDOUS RECREATIONAL ACTIVITIES

SECTION 410.1 POLICY

Faculty, staff, students, and visitors to the campus of North Carolina Agricultural and Technical State University (“NC A&T” or “University”) must operate skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, and similar wheeled devices consistent with University policies and vehicular laws and in a manner that does not endanger the welfare of pedestrians, disabled persons, or drivers.

SECTION 410.2 PURPOSE

The purpose of this policy is to establish rules for the safe use of skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, and similar wheeled devices on property owned, leased, managed, or operated by the University or any of its components in order to protect against accidents and injuries, and to minimize damage to University and personal property from the use of these devices.

SECTION 410.3 SCOPE

This policy applies to all faculty, staff, students, and visitors.

SECTION 410.4 DEFINITIONS

- (1) “Hazardous recreational activity” as used in this policy means, but is not limited to skateboarding, inline skating, hoverboarding, riding non-motorized two-wheeled vehicles, scooters, and other similar devices and freestyle bicycling.
- (2) “Hoverboard” means any device propelled electrically or mechanically upon which a person may ride. The device may have two or more wheels, less than 6 inches in diameter. It includes any device marketed or commonly known as a “hoverboard.” A hoverboard is also known as an electric personal assistive mobility device (EPAMD), a vehicle designed to transport one person, is self-balancing, has two non-inline wheels, and has a maximum propulsion speed of 15 miles per hour or less.

- (3) “Inherent risk” means those dangers or conditions that are characteristic of, intrinsic to, or an integral part of riding non-motorized two-wheeled vehicles, scooters, and similar wheeled devices, and freestyle bicycling.
- (4) “In-line skate” means a type of roller skate with a single line of wheels for greater speed and maneuverability.
- (5) “Personal transportation device” means a device utilized for the personal transportation of an individual. This includes motorized and non-motorized devices with one or more wheels.
- (6) “Recreational skateboarding” as used in this policy means use of skateboards, roller skates, in-line skates and hoverboards, and similar devices and includes scooter riding for obstacle riding, stunts, tricks, riding on stairs, walls, ramps, ledges, benches, handrails, flower planters, statues, monuments, and other architectural elements, and other actions that may cause injury to persons or damage to University property, and can interfere with pedestrians and the tranquility of the campus.
- (7) “Roller skate” means a device consisting of a shoe with one or more wheels attached for skating or a metal frame with wheels attached that can be fitted for a shoe worn by a person. It includes in-line skates, rollerblades and every device generally recognized as roller skates.
- (8) “Skateboard” means a non-motorized device consisting of two or more wheels affixed to a platform or footboard upon which a rider stands and which does not have steering capability similar to that of a bicycle or brakes which operate on or upon wheels of the skateboard. It also includes every device generally recognized as a skateboard.
- (9) “Trick riding” means obstacle riding, stunt riding, competitive riding, and any type of movement or maneuver where the wheels of the skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, or other similar devices are deliberately removed from contact with the surface in a repetitive procedure.

SECTION 410.5 GENERAL RULES

- (a) Persons riding or operating skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, or other similar devices shall exercise due care and reasonable caution to prevent injury to others, self, and property.
- (b) Skateboarders, in-line skaters, hoverboarders, and persons riding non-motorized two-wheeled vehicles, scooters, and similar wheeled devices must travel at a safe speed and remain on smooth paved surfaces except as set forth in Section 410.7 of this policy.
- (c) Persons riding skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, or other similar devices must not jump or ride over stairs, curbs, stops,

walls, ramps, ledges, benches, handrails, flower planters, statues, monuments, and other architectural elements.

- (d) Skateboarding, in-line skating, hoverboarding, or riding non-motorized two-wheeled vehicles, scooters, and other similar devices are permitted on open walkways as a means of transportation as long as they do not constitute a hazard to pedestrians, disabled persons, disrupt classes, or damage property.
- (e) Skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, and other similar devices may be used for point-to-point transportation sidewalks and other pedestrian areas on property owned, leased, managed, or operated by the University.
- (f) Skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, and other similar devices shall not be used on streets or in any parking area except as point-to-point transportation as set forth in this policy.
- (g) Skateboarders, in-line skaters, hoverboarders, and persons riding non-motorized two-wheeled vehicles, scooters, and similar wheeled devices must yield the right-of-way to pedestrians, vehicles, and disabled persons.
- (h) State laws regarding skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, and other similar devices apply on University property.
- (i) Skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, or other similar devices shall not be towed by bicycles or other vehicles.
- (j) Persons using skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, or other similar devices must stop at the scene of an accident in which they were involved whether or not there was property damage and/or injury, present identification to the other party, and immediately report the accident to the University Police Department at (336) 334-7675 (emergency) or 336-334-7128 (non-emergency) or 406 Laurel Street/Ward Hall on NC A&T's main campus.

SECTION 410.6 PROHIBITIONS

- (a) Manual or motorized transportation with wheels, which are not specifically required for use because of a medical condition or disability, are prohibited from use inside any building owned, leased, managed, or operated by the University.
- (b) To enhance personal safety, reduce property damage and/or prevent interference with campus operations, skateboarding, in-line skating, hoverboarding, and riding non-motorized two-wheeled vehicles, scooters, and other similar devices:
 - (1) Must be removed and secured prior to entering any University building;
 - (2) Are prohibited on all prepared sports surfaces, including but not limited to, the University track and tennis courts, unless those surfaces are designed and designated by the University for such use;

- (3) Are not permitted on stairs, curbs, stops, walls, ramps, ledges, benches, handrails, flower planters, statues, monuments, and other architectural elements;
 - (4) Are prohibited in any other areas posted or communicated as being prohibited for use by the University.
- (c) Recreational skateboarding by groups and/or persons on skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, and other similar devices is prohibited at and near building entrances, and shall not be ridden upon or used on any ramp, stairway, wall, bench, ledge, handrail, curb, stop, statue, monument, or other structure or facility or on or over any landscaped area, including, but not limited to, grass, shrubbery, or flower beds or other general campus spaces except as part of an approved University competition or function.

SECTION 410.7 HAZARDOUS RECREATIONAL ACTIVITIES

- (a) Skateboards, in-line skates, hoverboards, non-motorized two-wheeled vehicles, scooters, or other similar devices shall only be used in the areas and manner officially designated by the University for such use, except as set forth in Section 410.5.
- (b) Trick riding shall only be performed consistent with this policy and in the area designated by the University for trick riding.
- (c) Trick riding shall only occur on campus in the area designated by the University for such use.
- (d) While engaged in hazardous recreational activities, persons must:
 - (1) Wear a helmet, elbow pads, and knee pads;
 - (2) Act within the limits of their ability and the purpose and design of the equipment used.
 - (3) Maintain control of themselves and the equipment used;
 - (4) Refrain from acting in any manner that may cause or contribute to death or injury; and
 - (5) Refrain from taking actions that may cause damage to property.
- (e) Persons who participate or assists in hazardous recreational activities assume the known and unknown inherent risks in these activities, irrespective of age, and are legally responsible for all damages, injury, or death to themselves or other persons or property that result from these activities.
- (f) Persons who observe hazardous recreational activities assume the known and unknown inherent risks in these activities, irrespective of age, and are legally responsible for all damages, injury, or death to themselves that result from these activities.

SECTION 410.8 LIABILITY OF UNIVERSITY AS GOVERNMENT ENTITY

- (a) Individuals or groups shall not engage in hazardous recreational activities on property owned, leased, managed, or operated by the University or any component thereof, unless

the University has specifically designated an area for such activity and in accordance with this policy.

- (b) Except as set forth in N.C. Gen. Stat. § 99E-25(c), the State, NC A&T, and its employees or agents shall not be liable to any individual or group who voluntarily participates in hazardous recreation activities for any damage or injury to property or persons that arise from their participation in the activity and that takes place in an area designated by the University for the activity.
- (c) Nothing in this policy shall be read or interpreted as creating a duty of care or basis of liability for death, personal injury, or damage to personal property by the University.
- (d) Nothing in this policy shall be deemed to be a waiver of the University's sovereign immunity.
- (e) The fact that the University may carry insurance that covers activities subject to this policy shall not be read or interpreted as a waiver of the liability limits under State law, regardless of the existence or limits of the coverage.
- (f) No public entity, including NC A&T, that sponsors, allows, or permits skateboarding, in-line skating, hoverboarding, non-motorized two-wheeled vehicles, scooters, or other similar devices or freestyle bicycling on its property is required to eliminate, alter, or control the inherent risks in these activities.

SECTION 410.9 VIOLATIONS

- (a) Failure to wear a helmet, elbow pads, and kneepads where required by law or this policy may lead discipline in accordance with the applicable disciplinary policy and removal and trespass from University property.
- (b) Persons younger than sixteen years of age who violate this policy may have their skateboard, roller skates, or in-line skates confiscated by the University Police Department. In such cases, UPD may contact the juvenile's parent or legal guardian for a conference to discuss what occurred with the parent and juvenile. UPD will return the confiscated property at the end of the conference. Repeated violations by persons younger than sixteen years of age may result in restriction of campus visitation and use of facilities, or referral to juvenile authorities.
- (c) The University may seek restitution for damage to University property caused by hazardous recreational activities.
- (d) Students, faculty, and staff who violate this policy may be subject to criminal or civil liability and the applicable University disciplinary policy.
- (e) Visitors and others who violate this policy may be subject to criminal or civil liability and removal and trespass from University property.

AUTHORITY: Chancellor

POLICY OWNER: Vice Chancellor for Business and Finance

RESPONSIBLE OFFICE: Campus Enterprises and University Police Department

RESOURCES:

N.C. Gen. Stat. § 20-1 et seq., Motor Vehicle Law

N.C. Gen. Stat. § 99E-24, Duties of Persons Engaged in Hazardous Recreational Activities

N.C. Gen. Stat. § 99E-25, Liability of Governmental Entities

N.C. Gen. Stat. § 116-1 et seq., The University of North Carolina

N.C. Gen. Stat. § 116-44.4, Regulation of Traffic and Parking and Registration of Motor Vehicle

NC A&T Parking Rules and Regulations, <https://www.ncat.edu/campus-life/campus-enterprises/parking-and-transportation/parking-files/september-2020-paordinance-governing-parking-services.pdf>

Student Conduct Regulations, <https://www.ncat.edu/campus-life/student-affairs/departments/dean-of-students/student-handbook.php>

University Policy 409, Trespass, <https://hub.ncat.edu/administration/legal/policies/sec1-gov-and-adm/trespass-policy.pdf>