

# Blazing the trail by using a commonsense risk management approach

By Lisa Knapton

Now more than ever, multi-use trails are popular and in high demand, especially continuous trails linking communities to each other. Trail systems are being built in urban and suburban areas, sometimes even using decommissioned rail corridors. Trails are being used by hikers, joggers, bikers, skaters, including those using inline skates and skateboards. Considering the variety of locations and uses, the potential for hazards should be identified during the planning phase so trails can be designed and located to avoid conditions that could lead to potential injuries.

Members should determine the scope and purpose of a trail being developed for recreational purposes and therefore subject to the state Recreational Immunity Act as opposed to the development of trails whose primary purpose is to facilitate transportation. To preserve recreational immunity defense, the trail must always serve some recreational purpose. Should a trail be developed that has no recreational purpose, it likely will not be eligible for a recreational immunity defense.

When deciding where to build a trail, areas that should be avoided include, but are not limited to, sites with poor drainage, poor line of sight, unstable ground, and steep slopes. The trail should be designed and installed by a professional, such as a landscape architect, transportation engineer or licensed contractor with experience in designing multi-use trails. Trails should be designed to meet ADA accessibility standards ([ADA Accessibility Standards for Trails and Shared Use Paths](#)).

Once the trail has been built, prior to opening it for use, signage should be posted to provide rules and regulations for use of the trail (i.e., bicyclists yield to pedestrians, no motorized or electric vehicles allowed) and to alert users of any known, dangerous, latent, and artificial conditions. Members should determine both placement and the number of signs used considering users are more likely to disregard signs if overused. Signage should be posted at entry points to the trail and should not contain rules that cannot or will not be enforced.

Once the trail is ready for use by the public, so is the need for routine inspections and maintenance. Issues to inspect for include, but are not limited to:

1. Condition of trail surface which should be free of gaps, ridges, cracks, and foreign debris.
2. Tree roots disrupting the trail.
3. Condition of pavement/asphalt markings.
4. Condition and visibility of signage.
5. Condition of parking areas.
6. Unauthorized features such as ramps.

When a problem cannot be immediately corrected, warnings should be provided such as signs, hazard tape, barricades, and/or paint markings to notify path users. Members should temporarily close damaged areas of the trail if conditions such as severe erosion, and/or flooding exist, until such time that the trail has been repaired.

Members sometimes utilize volunteers to inspect and maintain their trail systems. If using continuous individual volunteers, the member should create a volunteer agreement outlining expectations and rules surrounding the volunteers' duties for the members. Training should be provided regarding inspections and maintenance of the trail. If a volunteer organization is managing the trail, an agreement specific to volunteer organizations should be used and should contain indemnification language favorable to the member and insurance requirements specifying types of coverage in adequate amounts naming the member as an additional insured. The agreement should clarify that the volunteer organization will be responsible for the supervision, safety, and liability of their volunteers. WCIA has sample volunteer agreements for individual volunteers and volunteer organizations which can be found by clicking the following links:

[Sample Agreement Regarding Individual Volunteers](#)

[Sample Agreement for Organizational Volunteers](#)

Inspections and maintenance operations should be documented and should include inspections and maintenance performed, the name of the employee/volunteer performing the work, location, and date/time completed. If further action is required, develop an action plan which includes items to be completed, responsible party, and estimated completion date.

For further information, members are encouraged to contact their assigned Risk Management Representative. Additional resources include, but are not limited to:

1. [The American Association of State Highway and Transportation Officials \(AASHTO\)](#)
2. [The National Association of City Transportation Officials \(NACTO\)](#)
3. [The Public Rights-of-Way Accessibility Guidelines \(PROWAG\)](#)