Pump Track Risk Management Resource I

General Liability. By allowing the general public onto school property and engaging in an activity that presents potential bodily injury, the school is exposing itself to liability claims. It would be nearly impossible to regulate who is using the pump track and when, and making sure they are following proper safety guidelines. The school would be responsible for the upkeep and maintenance of the pump track. This opens a whole plethora of potential liability claims. The school would have general liability coverage for anyone injured on the premises, subject to the deductible. This presents a significant increase in exposure to the school.

Property Coverage. The school would have property coverage for any damages to the pump track, subject to the deductible.

Injuries. We can see many injuries occurring from pump tracks, especially from younger children who may not use the track as intended or may not have the skill set to use it safely. We also see this being used on the weekends when no one is around rather than during the school day. This would make it difficult to enforce any rules and ensure everyone is wearing safety gear.

City/Town. This may be best suited in a municipal setting. Discuss with your administration on how they think it would benefit the students and consider the liability, increase in exposure, funding for designing/building, upkeep, certification for instructors, who's responsible for it, and when/how it will be used.

Other Considerations:

- **Certified Builder/Designer**
- **Instructor/Supervisor Certification Requirements**
- **Closed to the public**
- **Signage**
- **Maintenance/Upkeep of track and bikes**
- **Funding**
- **Liability Forms of users**
- **Medical Supplies onsite**

Resources:

- **VMBA (VT Mountain Bike Association)**
- **IMBA (International Mountain Bicycling Association)**
- **BICP (Bike Instructor Certification Program)**
- **4PointsVT (Bike Instructor Certification)**
- **https://bermstyle.com/pump-tracks/**
- **https://zepmountainconsultancy.com/legal/**

Note: We can provide additional Risk Management guidelines if you decide to proceed.

Pump Track Risk Management Resource II

- **Age Use:** What is the intended age group recommended by the mountain bike trail builders? I would work with the trail builders to come up with a recommended age group and ensure that this is clearly stated on any signage. Depending on age use, supervision may be required, which makes it difficult to enforce after school hours.
- **For school use only?** Is this intended for PE class or is it just for after school/community use? Signage would be important for community use stating some general safety rules and requirement of protective gear. If it is for school use and in a small area then I would go to the extent of fencing off the area and creating a controlled access point to prevent use after school hours. Fencing off the area and a controlled access point would also be ideal for community use. This promotes use within the designed area in which you can have better control of any hazards, and you're also ensuring that they see the signage.
- **Who supplies the bikes and makes sure they are in safe working condition?** If this is intended for something like PE class then you'll want to provide the bikes to make sure that they are in safe working condition. I would avoid donated bikes, unless you're paying to send them to a maintenance shop to ensure they are in safe working condition. If for community use then I would state on your signage that the track/trail should not be used if bikes are not in safe working condition. You'll also want to require that helmets and other protective gear are worn.
- **Location:** If this is in a wooded area you will need to ensure there are clear site lines for supervision. There are also many natural hazards within a wooded area that are hard to control: broken/dead branches ready to fall from above, branches/roots on the trail, loose rocks, impact with trees, pests/animals/tics/mosquitos, etc. – how will these hazards be addressed: through a maintenance plan? Also, is this location accessible to emergency personnel/vehicles?
- **Design:** Is this a cross-country style trail or a small area with a track of small hills, jumps, ramps, walls, and other similar features? – This will also help determine age-use. If it is in a wooded area will natural elements be used? A mix of natural vs. manufactured materials? How will you keep the area contained to avoid going off in areas that are not intended to be used – as mentioned previously a fence may be helpful in this.
- **Construction:** Is the person designing this course an experienced designer or have any professional certifications? Are they insured? Will this project require construction vehicles, chainsaws, and other high hazard equipment or qualified/skilled labor? A contract should be in place and skilled, experienced, and insured labor should be used.
- **Maintenance:** Who will be responsible for maintaining the course to ensure that it is free of hazards for daily use – assuming that it can be used by the community after hours you'll want to make sure it's free of hazards on a daily basis. With more controlled use of the course you'll be able to spread out your inspection frequency. It's important to put together a maintenance and inspection plan – the course designer/installer should provide this information.
- **Risk Management Plan**: Part of your risk management plan includes maintenance, however you'll also want to have policies and procedures that outline responsibilities and what to do in various emergencies. For instance, as mentioned before is the location easily accessible to emergency personnel or vehicles. What is there for first aid nearby. What sort of protocols do you have in place if a community member is using it after hours and they get injured? Here is a resource that can help you develop a plan: http://www.outdooroutreach.org/wp-content/uploads/2017/12/Mountain-Bike-Lesson-Plan-Risk-Managent-and-Emergency-Protocols-3.pdf, https://www.imba.com/explore-imba/resource-hub.