



# Risk Management Considerations for BMX Biking

**B**MX biking is an increasingly popular sport in Canada. New BMX bike parks are being constructed in cities all over the country. In cities where parks are not available, bikers are creating their own home-made versions, often on City property. This can lead to increased liability for municipalities. Providing city-run or sponsored facilities help to decrease the amount of “rogue” parks that pop-up and therefore decrease liability.

BMX biking is considered an extreme sport, and extreme sports carry high risk. Your City or organization has a duty, as an occupier, to keep the equipment and property in a safe condition to accommodate its intended purpose. Through proper park design, inspection, and maintenance, along with communication with the bikers and appropriate signage, the amount of risk can be minimized to create a safe and enjoyable environment.

## Risk Management Considerations

### Design of the Park

- Work with an experienced park designer to outline a sensible and safe course for participants.
- Experienced designers should have good working knowledge of current safety standards and know how to incorporate them into the design.
- Enter into a contract with the designer. The contract should include a Hold Harmless/Indemnification Clause as well as a requirement for a Commercial General Liability Policy and Errors & Omissions Insurance. This allows for a contractual transfer of the risks involved in design.
- If a third party is building the park, enter into a formalized agreement that includes a Hold Harmless/Indemnification Clause and a requirement for Commercial General Liability Insurance and Environmental Coverage. Transfer the construction risks to the contractor.
- When choosing a location for the park, make sure it is easily accessible, but away from residential areas, if possible, to avoid conflict.
- Ensure the layout of the park makes sense and avoids criss-crossing or path crossing.
- Continue to work with the designer until the park is complete and refer back to them for any questions or expansion projects.
- Set up barriers to prevent cars, trucks, or other motorized vehicles such as ATVs from accessing the park.
- Make sure barriers can be easily moved or opened so that emergency vehicles can access the park if necessary.

## Collaboration with Bikers

- In order for a BMX park to be successful, there has to be collaboration with the bikers throughout its design and execution.
- Consult with the community and bikers regarding the design. Allow for their input and be truthful if something cannot be incorporated. This will help everyone to understand the design and prevent them from trying to redesign the park on their own after it's finished.
- Work with the bikers and local biking associations on fundraising for the park and create a good working relationship between your organization and the groups. This mutual respect can help to ensure good upkeep of the park and that rules are followed.

## Rules of the Park

Establish a set of rules that bikers need to follow and post them in highly visible areas. Here is an example of good park rules and wordings:

1. This is an unsupervised facility.
2. Parents, when you bring your kids, stay and watch them ride. Remember the park is unsupervised.
3. Ride at Your Own Risk.
4. In case of emergency call 911.

## Appropriate Signage

- Appropriate signage serves two purposes: (1) prevention of accidents through warning signs and (2) avoiding liability through disclaimer signs.
- Signs should be posted in highly visible locations.
- Signs should be written in simple, easy to understand language. Remember the ages of the people who will be using the park. Incorporate pictures and symbols to increase effectiveness.
- Avoiding using words such as “must” and “mandatory” in unsupervised parks because this requires enforcement.
- Include biking lingo in your signs. An example of this would be to use the phrase “Wear the Gear” rather than “Use of protective equipment is mandatory”.
- Include notice of any equipment that is not allowed in the park, specifically motorized bikes and other vehicles.

- Signs must be maintained and should give information such as:
  - a. Hours of operation.
  - b. Notice that the park is unsupervised, or if supervised, outline when supervisors are there.
  - c. Warnings of any danger.
  - d. Recommended use of protective equipment.
  - e. Rider Etiquette.
  - f. Level of difficulty of the course and each course component.
  - g. Height of the jumps.
  - h. Location of the telephone.
  - i. Who maintains the facility and contact information.

Here are some signage rule examples:

1. Is your helmet on? It's the law! Don't chance your safety or getting a fine.
2. Wear the gear. Gloves, knee pads and elbow pads are strongly recommended.
3. Ride only when the park is open.
4. Don't ride when the park is closed. You could hurt yourself.
5. Use caution and know your limits. Start small and work your way up. If in doubt, stay out!
6. Ride only in designated areas.
7. If the ground is wet, do not use the track.
8. Remain in the spectator area when not riding.
9. Report all dangerous conditions to park staff immediately.
10. Home-made ramps and jumps are not allowed in the park.
11. Take care of your park and it'll be here for a while. If it's damaged or home-made jumps, props, etc. are found, the park will close.
12. Only non-motorized BMX style bikes are welcome. Unauthorized motor vehicles are not allowed. If you see them, make a report to the municipality.
13. Please enjoy your snacks and drinks outside the track area. Remember, whatever you bring in, you must take out. Alcohol is not allowed under any circumstance.
14. Pegs don't belong on a BMX track. Remove them for your safety and the safety of others.
15. Look before you go - wait your turn. Yield the right of way to slower riders.
16. Follow the rules and stay safe.

## Inspection of the Park

Park inspections and all its components (ramps, rails, etc.) should be completed on a regular basis.

Inspections should take place daily and all inspections should be documented on municipal forms and filed with the municipality.

## Maintenance of the Park

- Maintenance should be completed as soon as a hazard is reported.
- The park, or a section of the park, should be closed until the maintenance is completed. Signs should advise why it is closed and give an approximate time as to when it will be re-opened.
- Bikers will fix jumps as they go, but overall maintenance is the responsibility of the City or governing group.
- Proper maintenance procedures are essential in minimizing risk of injury and the City's or group's exposure to liability.

## Other Considerations

- Environment: Ensure that the BMX park does not excessively damage the existing environment and protect environmentally sensitive areas within the park.
- Litter: Place garbage cans and recycling bins around the perimeter of the park.
- Parking: Make sure there is enough space for parking near the site.
- Washrooms: Locations with public washrooms are desirable, and if there are not washrooms nearby, provide a port-a-potty.
- Vandalism: Vandalism can be a problem. Regular inspections can help catch vandals and remove/repair the damage quickly.