

New Mexico State Capitol Mobility Device Policy

Under Title II of the federal Americans with Disabilities Act of 1990 (ADA), individuals who require the use of a mobility device because of a disability have a right to access all areas open to the public. The Legislative Council Service (LCS) recognizes that there are a variety of mobility devices that can be used by people with disabilities, including:

- manual and power wheelchairs;
- manually powered mobility devices, such as crutches, canes, braces, knee scooters and walkers; and
- other power-driven mobility devices (OPDMDs), including devices powered by fuel, batteries or other engines, such as:
 - golf carts;
 - all-terrain vehicles;
 - miniature riding lawn mowers; and
 - segways.

The guidance for mobility devices provided by the ADA allows state and local governments to restrict the type of mobility device that can be used inside a building based on:

- the type, size, weight, dimensions and speed of a mobility device;
- the volume of pedestrian traffic in the building;
- legitimate safety concerns or health risks; and
- the risk of serious damage to property, the environment or natural and cultural resources.

The following policies have been adopted based on careful consideration of the ADA requirements for mobility devices and the facility design and operational characteristics of the State Capitol, as well as equally effective alternative options to in-person attendance for accessing the legislative process:

- staff may **NOT** ask about the nature or extent of an individual's disability;
- if the need for a mobility device is not obvious, staff reserve the right to request credible assurance that a device is required because of a disability. Credible assurance includes:
 - a valid state-issued disability identification or parking placard; or
 - a credible statement indicating the need for the mobility device;
- power and manual wheelchairs and manually powered mobility devices are allowed in the State Capitol;

- OPDMDs that are fuel-powered, oversized or move at a speed faster than a pedestrian are not allowed in the State Capitol; and
- staff reserve the right to revoke access if the user of a mobility device behaves in a reckless manner inconsistent with the stated need for the device.

Please visit [Mobility Devices and the ADA](#) for more information.

Accessing the Legislative Process Online

The LCS offers a virtual option for accessing the legislative process. This option may be used by individuals who wish to engage in the legislative process but who cannot attend in person. All committee meetings and the House and Senate floor events that are open to the public can be accessed online by visiting the [LCS homepage](#). After clicking the LCS homepage:

- click on the What's Happening tab:
 - select the committee meeting of your choice; and
 - select the webcast option; or
 - select the Zoom option if you wish to participate in the public comment period if it is offered; OR
- click on the Committees tab:
 - select the regular or interim committee of your choice; and
 - select the webcast option; or
 - select the Zoom option if you wish to participate in the public comment period if it is offered.

All public meetings are archived with closed captioning within two (2) days of the meeting and can be accessed by visiting the LCS homepage and clicking on the Webcast tab.

For questions about accessing the legislative process, please contact Robin Garrison at 505-986-4685.

For questions about attending events in the Rotunda, please contact the event host.