

1 By: Bryce J. Ward, Mayor  
2 Leah Berman Williams  
3 Introduced: 04/15/2021  
4 Adopted: 04/15/2021  
5 Immediate  
6 Reconsideration Failed: 04/15/2021  
7 Adopted: 04/15/2021  
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9 FAIRBANKS NORTH STAR BOROUGH

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11 RESOLUTION NO. 2021 – 13  
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13 A RESOLUTION OPPOSING THE PROPOSED CHANGES ON THE USE OF ALL-TERRAIN  
14 VEHICLES AND SNOWMOBILES ON PUBLIC ROADS IN THE REGULATIONS OF THE  
15 ALASKA DEPARTMENT OF PUBLIC SAFETY  
16

17 WHEREAS, The Alaska Department of Public Safety (DPS) issued a Public  
18 Notice on March 17, 2021, with proposed regulation changes to allow the use of all-  
19 terrain vehicles (ATVs) and snowmobiles on public roads; and  
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21 WHEREAS, The proposed state regulations include a definition of all-  
22 purpose vehicle, which includes vehicles commonly known as all-terrain vehicles, all-  
23 season vehicles, and utility terrain vehicles; and  
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25 WHEREAS, The Fairbanks North Star Borough (FNSB) recognizes all-  
26 purpose vehicles and snowmobiles fulfill the basic mobility needs of some Alaska  
27 residents, particularly in rural and remote locales, but believes the proposed changes will  
28 consequentially increase in the number of fatalities and serious injuries on roads  
29 Statewide; and  
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31 WHEREAS, The proposed changes are contrary to the recommendations of  
32 the Alaska Strategic Highway Safety Plan 2018-2022 (SHSP), which highlights strategies  
33 and actions to reduce the number of ATV and snowmobile fatal and serious injury crashes  
34 Statewide; and  
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36 WHEREAS, Development of the SHSP was led by the Alaska Department of  
37 Transportation & Public Facilities (DOT&PF) and a 55-member Steering Committee,  
38 including representatives of the Alaska DPS, and meant to affect and be relevant to all  
39 State agencies; and  
40

41 WHEREAS, The most recent five-year averages of fatalities and serious  
42 injuries involving ATVs and snowmobile exceed the goals of the SHSP and are trending  
43 upward; and

44 WHEREAS, The University of Alaska Fairbanks completed a study in 2019  
45 titled "Safety Evaluation of Statewide Off-Highway Vehicle Use in Alaska" <sup>1</sup> with funding  
46 from the Alaska DOT&PF and Pacific Northwest Transportation Consortium, and  
47 significant findings from this study included:

48  
49 The Alaska Trauma Registry indicates that 25% of the 1,352 incidents involving  
50 ATVs and 18% of the 936 incidents involving snowmobiles occurred on highways  
51 and other public roads between 2009 and 2014;

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53 Alaska Department of Motor Vehicles (DMV) records indicate that there was a total  
54 of 317 off-highway vehicle incidents on roadways, 20% of which involved children  
55 16 years of age or younger between 2012 to 2017;

56  
57 There were 120 reported on-road crashes involving off-highway vehicles in the  
58 Alaska DMV crash database in 2016 and an average of 80 reported crashes per  
59 year between 2000 and 2016, and Alaska has previously seen years where the  
60 number of snowmobile fatalities on public roadways exceeded the number of  
61 fatalities in conventional automobiles;

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63 Locations were identified where as many as 60 off-highway vehicles used or  
64 crossed a highway in a single day; and

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66 Of the 447 total observations, 53% were observed to be using the road unlawfully  
67 of which only 30% were observed to be wearing helmets and 17% were carrying  
68 passengers on vehicles that were not intended for passengers.

69  
70 WHEREAS, Title 28 of Alaska Statutes requires all motor vehicles driving on  
71 a highway or other public parking place be registered, but driver licenses are not required  
72 for operators of ATVs and snowmobiles; and

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74 WHEREAS, The proposed changes do not address the requirements of the  
75 National Highway Traffic Safety Administration and Alaska DMV for equipment, driver  
76 training, licensing, and insurance to make ATVs and snowmobiles "street legal" and  
77 operators eligible to use such vehicles on public roads; and

78  
79 WHEREAS, The same rules of the road must apply to all motor vehicles and  
80 operators on public roads or it could result in sharp increases in all-purpose vehicle and  
81 snowmobile fatal and serious injury crashes, especially with young drivers of all-purpose  
82 vehicles and snowmobiles that are currently allowed to operate these vehicles without  
83 driver training, a license, or insurance; and

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<sup>1</sup> Belz, N. (2019). Safety Evaluation of Statewide Off-Highway Vehicle Use in Alaska: Crash Review, On- and Off-Road System Use and Conflict Evaluation. DOT&PF Report No. NFHWY00082, USDOT Report No. 400180. <http://dot.alaska.gov/stwddes/research/assets/pdf/4000-180.pdf>

84 WHEREAS, The proposed changes include a provision to allow municipalities  
85 to prohibit snowmobiles or all-purpose vehicles from using roadways, but the FNSB is a  
86 Second-class Borough and has limited road and police powers; therefore there will be  
87 limited, if any, opportunity to implement this provision; and  
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89 WHEREAS, Other Second-class Boroughs throughout the State will face the  
90 same challenge and most of the State is unincorporated, making this provision useful to  
91 only a few municipalities; and  
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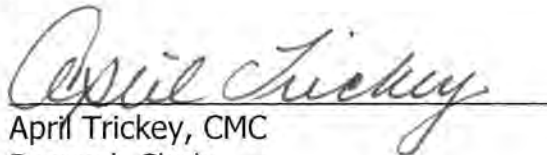
93 WHEREAS, In addition to the FNSB's concerns regarding the safety of the  
94 traveling public, the proposed changes may have significant cost implications to  
95 manufacturers, private businesses, consumers, and the State, as well as jeopardize  
96 Federal highway funding opportunities for communities Statewide.  
97

98 NOW THEREFORE BE IT RESOLVED that the Assembly of the Fairbanks  
99 North Star Borough encourages the Alaska Department of Public Safety to withdraw the  
100 proposed regulation changes on the use of all-purpose vehicles and snowmobiles on  
101 public roads until a working group of relevant and affected agencies and organizations  
102 has been established to jointly author the changes in a comprehensive and equitable  
103 manner that maintains the safety of the traveling public and considers the costs of such  
104 changes.  
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106 ADOPTED THE 15<sup>TH</sup> DAY OF APRIL 2021.  
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111 \_\_\_\_\_  
112 Mindy O'Neall  
113 Presiding Officer  
114

115 ATTEST:

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117 \_\_\_\_\_  
118 April Trickey, CMC  
119 Borough Clerk  
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123 Yeses: Williams, Sanford, Cooper, Lyke, Lojewski, O'Neall  
124 Noes: Tomaszewski, Wilson, Cash