




Fairbanks North Star Borough

MAYOR'S OFFICE

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MEMORANDUM

To: Fairbanks North Star Borough Assembly

From: Bryce Ward, Mayor 

Date: April 15, 2021

Subject: Resolution 2021 – 13
Opposing Proposed Changes on the Use of All-Terrain Vehicles and
Snowmobiles on Public Roads

Attached for your consideration is a resolution opposing Alaska Department of Public Safety (DPS) proposed regulation changes that would allow the use of all-terrain vehicles and snowmobiles on public roads. This resolution proposes to the Alaska DPS and alternative approach to crafting proposed regulations that would jointly and equitably include multiple ATV and snowmobile stakeholders.

I urge your adoption of this resolution.

attachment: Resolution

/jw



By: Bryce J. Ward, Mayor
Introduced: 04/15/2021

FAIRBANKS NORTH STAR BOROUGH

RESOLUTION NO. 2021 – 13

A RESOLUTION OPPOSING THE PROPOSED CHANGES ON THE USE OF ALL-TERRAIN VEHICLES AND SNOWMOBILES ON PUBLIC ROADS IN THE REGULATIONS OF THE ALASKA DEPARTMENT OF PUBLIC SAFETY

WHEREAS, The Alaska Department of Public Safety (DPS) issued a Public Notice on March 17, 2021, with proposed regulation changes to allow the use of all-terrain vehicles (ATVs) and snowmobiles on public roads; and

WHEREAS, The Fairbanks North Star Borough (FNSB) recognizes ATVs and snowmobiles fulfill the basic mobility needs of some Alaska residents, particularly in rural and remote locales, but believes the proposed changes will consequentially increase in the number of fatalities and serious injuries on roads Statewide; and

WHEREAS, The proposed changes are contrary to the recommendations of the Alaska Strategic Highway Safety Plan 2018-2022 (SHSP), which highlights strategies and actions to reduce the number of ATV and snowmobile fatal and serious injury crashes Statewide; and

WHEREAS, Development of the SHSP was led by the Alaska Department of Transportation & Public Facilities (DOT&PF) and a 55-member Steering Committee, including representatives of the Alaska DPS, and meant to affect and be relevant to all State agencies; and

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

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36 WHEREAS, The University of Alaska Fairbanks completed a study in 2019
37 titled "Safety Evaluation of Statewide Off-Highway Vehicle Use in Alaska"¹ with funding
38 from the Alaska DOT&PF and Pacific Northwest Transportation Consortium, and
39 significant findings from this study included:

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

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45 Alaska Department of Motor Vehicles (DMV) records indicate that there was a total
46 of 317 off-highway vehicle incidents on roadways, 20% of which involved children
47 16 years of age or younger between 2012 to 2017;

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49 There were 120 reported on-road crashes involving off-highway vehicles in the
50 Alaska DMV crash database in 2016 and an average of 80 reported crashes per
51 year between 2000 and 2016, and Alaska has previously seen years where the
52 number of snowmobile fatalities on public roadways exceeded the number of
53 fatalities in conventional automobiles;

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

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¹ 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>

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

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

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

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71 WHEREAS, The same rules of the road must apply to all motor vehicles and
72 operators on public roads or it could result in sharp increases in ATV and snowmobile
73 fatal and serious injury crashes, especially with young drivers of ATVs and snowmobiles
74 that are currently allowed to operate these vehicles without driver training, a license, or
75 insurance; and

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77 WHEREAS, The proposed changes include a provision to allow municipalities
78 to prohibit snowmobiles or all-purpose vehicles from using roadways, but the FNSB is a
79 Second-class Borough and has limited road and police powers; therefore there will be
80 limited, if any, opportunity to implement this provision; and

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82 WHEREAS, Other Second-class Boroughs throughout the State will face the
83 same challenge and most of the State is unincorporated, making this provision useful to
84 only a few municipalities; and

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86 WHEREAS, In addition to the FNSB's concerns regarding the safety of the
87 traveling public, the proposed changes may have significant cost implications to
Fairbanks North Star Borough, Alaska

88 manufacturers, private businesses, consumers, and the State, as well as jeopardize
89 Federal highway funding opportunities for communities Statewide.

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91 NOW THEREFORE BE IT RESOLVED that the Assembly of the Fairbanks
92 North Star Borough encourages the Alaska Department of Public Safety to withdraw the
93 proposed regulation changes on the use of all-terrain vehicles and snowmobiles on public
94 roads until a working group of relevant and affected agencies and organizations has been
95 established to jointly author the changes in a comprehensive and equitable manner that
96 maintains the safety of the traveling public and considers the costs of such changes.

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98 ADOPTED THE _____ DAY OF _____ 2021.

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ATTEST:

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April Trickey, CMC
Borough Clerk

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Mindy O'Neall
Presiding Officer

APPROVED:



Jill S. Dolan
Borough Attorney