

ORDINANCE NO. 6186, AS AMENDED
(PROPOSED SUBSTITUTE)

**AN ORDINANCE TO PROHIBIT LIMIT ALL-PURPOSE VEHICLES
ONTO PUBLIC ROADWAYS WITHIN THE CITY OF FAIRBANKS A
MAXIMUM SPEED LIMIT NOT GREATER THAN 30 MILES PER HOUR**

WHEREAS, the State of Alaska adopted regulations that would allow “all-purpose vehicles” to operate on public roadways where the designated maximum speed limit was not greater than 45 miles per hour; and

WHEREAS, these regulations are set to take effect on January 1, 2022; and

WHEREAS, the State regulations authorize local governments to prohibit or restrict the use of all-purpose vehicles on public roadways within their jurisdictions; and

~~WHEREAS, the Council finds that the 45 mile per hour maximum speed limit would include roadways in the City that are not appropriate for all-purpose vehicle operation.~~

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. That Fairbanks General Code Chapter 78, Traffic and Vehicles, Article XV, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~striketrough~~ font]:

**ARTICLE XV. SNOWMOBILES, ~~AND~~ OTHER OFF-HIGHWAY VEHICLES,
AND ALL-PURPOSE VEHICLES.**

Sec. 78-542. Operating Limits on All-Purpose Vehicles on a Public Roadway.

(a) All-purpose vehicles, as defined in 13 AAC 40.010, may not be operated on any roadway within the City of Fairbanks where the maximum designated speed limit is greater than 30 miles per hour except for incidental use.

(b) Incidental use of all-purpose vehicles is allowed on city roadways where the maximum designated speed limit is no greater than 25 miles per hour.

(c) Incidental use means operating on the far edge of the roadway at low speed for short distances for the purpose of accessing a trail or path where all-purpose vehicle use is permitted.

Section 2. That Fairbanks General Code Sec. 78-5, Traffic Fine Schedule, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~striketrough~~ font]:

Sec. 78-5. Traffic Fine Schedule.

(a) Unless otherwise provided in this chapter, the city's traffic fine schedule for violations not set forth under section 78-1 shall be as follows:

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32. ~~Operating Limits on All-Purpose Vehicles on a Public Roadway (Section 78-542) 125.00~~

- 332. Carrying animals on outside of vehicle (Section 78-573)40.00**
- 343. Boarding or alighting from vehicles (Section 78-574)40.00**
- 354. Drinking while driving; open container (Section 78-576)200.00**
- 365. Avoidance of traffic controlled intersections (Section 78-579)80.00**
- 376. Overtaking and passing emergency vehicles (no personal injury) (Section 78-617)150.00**
- 387. License to be carried and exhibited on demand (Section 78-892)50.00**

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Section 3. That the effective date of this Ordinance shall be the 1st day of January 2022.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney