

March 17, 2021

FAIRBANKS AREA SURFACE TRANSPORTATION (FAST) PLANNING

A RESOLUTION IN SUPPORT OF REVISIONS TO ALASKA ADMINISTRATIVE CODE TO IMPROVE SAFETY FOR PEDESTRIANS AND BICYCLISTS USING THE TRANSPORTATION NETWORK

WHEREAS, FAST Planning is the State-designated transportation planning organization for the Fairbanks and North Pole area and supports local and Statewide policy, programmatic, and infrastructure improvements that improve safety and comfort of pedestrians and bicyclists using the transportation network; and

WHEREAS, Title 13 of Alaska Administrative Code, Chapter 2, Sections 50, 400, and 455 (13 AAC 02.050, 13 AAC 02.400, 13 AAC 02.455) for non-motorized conveyances have not been updated since 1979; and

WHEREAS, provisions are needed in 13 AAC 02.050 to improve safety of vehicles passing bicyclists in the roadway; and

WHEREAS, provisions are needed in 13 AAC 02.400 for bicycle lane and shared lane use markings (i.e. sharrows) for riding bicycles on roadways; and

WHEREAS, provisions are needed in 13 AAC 02.455 to improve safety and reduce conflicts for bicyclists and pedestrians with off-highway vehicles traveling on sidewalks and other locations officially designated for non-motorized use only; and

WHEREAS, residents of the State of Alaska recognize that pedestrians and bicyclists share transportation networks with motorized vehicles; and

WHEREAS, the most recent five-year averages of fatalities and serious injuries for pedestrians and bicyclists exceed the goals of Alaska Strategic Highway Safety Plan and are trending upward; and

WHEREAS, one of the goals of the Alaska Statewide Active Transportation Plan is to improve safety for pedestrians and bicyclists who use the transportation network by reducing the number and severity of conflicts between people walking, bicycling, and driving; and

WHEREAS, in 2016 Alaska was ranked #1 in the U.S. by the Alliance for Walking & Bicycling for the number of people who walk and bike to work per capita; and

WHEREAS, the rates of walking and bicycling in Anchorage and Fairbanks, Alaska's two largest population centers, have increased since 2017; and

WHEREAS, in 2019 Alaska was ranked 39th in the U.S. by the League of American Bicyclists for bicycle friendliness receiving a grade of "F" in 6 out of 17 categories including state transportation funding, planned and recently built bicycle and pedestrian facilities, laws that create protections for people who bike and walk, design and access policies, understanding people who bike and walk, and formal user group engagement; and

WHEREAS, 35 of the 50 states in the U.S., not including Alaska, have adopted Safe Passing Laws to improve safety for bicyclists, and the League of American Bicyclists has recommended the State of Alaska adopt a safe passing law with a minimum distance of 3 feet to address bicyclist safety and has provided a white paper that provides examples of how other states have adopted and implemented this type of law; and

WHEREAS, the State of Alaska ranked 44th in the U.S. with respect to laws that create protections for people who bike and walk; and

WHEREAS, the FAST Planning Bicycle & Pedestrian Advisory Committee has provided recommended revisions to 13 AAC 02.050, 13 AAC 02.400, and 13 AAC 02.455 for consideration of the Alaska Department of Public Safety to initiate changes, which are attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED that FAST Planning supports the review and revision of 13 AAC 02.050, 13 AAC 02.400, and 13 AAC 02.455 by the Alaska Department of Public Safety to improve safety for pedestrians and bicyclists using the transportation network in accordance with the recommended revisions attached to this Resolution.

PASSED AND APPROVED THIS 17TH DAY OF MARCH 2021.

Ryan Anderson, P.E.
Chair, FAST Planning Policy Board

ATTEST:

Jackson C. Fox
Executive Director, FAST Planning

Use of Roadway

13 AAC 02.050. Driving on right side of roadway - exceptions and special situations

(a) Upon a roadway of sufficient width, a vehicle must be driven upon the right half of the roadway, except as follows:

(1) when overtaking and passing another vehicle proceeding in the same direction, or when preparing for a left turn at an intersection or into an alley, private road or driveway;

(2) when traveling upon a roadway marked or divided as provided by [13 AAC 02.025](#), [13 AAC 02.085](#), or [13 AAC 02.095](#), or within an urban district upon a roadway restricted to one-way traffic; or

(3) when an obstruction exists making it necessary to drive to the left of the center of the highway; a driver must yield the right-of-way to all vehicles traveling in the opposite direction upon the unobstructed portion of the highway.

(4) repealed 6/28/79;

(5) repealed 6/28/79.

(b) Upon all roadways outside an urban district, a vehicle other than an emergency vehicle proceeding at less than the maximum authorized speed of traffic must be driven in the right-hand lane or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into an alley, private road, or driveway. However, on a two-lane highway outside an urban district where passing is unsafe because of oncoming traffic or other conditions, the driver of a motor vehicle proceeding at less than the maximum authorized speed of traffic and behind whom five or more vehicles are formed in a line shall turn off the roadway at the nearest place designated as a turnout or wherever sufficient area for a safe turnout exists in order to permit following vehicles to pass.

(c) When overtaking or passing a person operating a bicycle proceeding in the same direction of travel, the driver of a motor vehicle shall:

(1) if there is more than one lane for traffic proceeding in the same direction, move the vehicle to the travel lane to the immediate left, if available; or

(2) if there is only one lane for traffic proceeding in the same direction, pass to the left of the person operating a bicycle, not less than three feet between any portion of the vehicle and the bicycle, and shall not return to the center of the travel lane until the vehicle is clear of the overtaken person operating a bicycle.

(d) The driver of a motor vehicle may pass a person operating a bicycle by driving to the left of the centerline of a roadway, including if necessary in a no passing zone, provided the roadway to the left is unobstructed and the driver can pass the bicycle without interfering with oncoming traffic. This paragraph does not authorize driving on the left side of the center of a roadway when prohibited by 13 AAC 02.060 and 13 AAC 02.065.

13 AAC 02.060. Limitations on driving left of center

(a) A vehicle may not be driven on the left side of a roadway under the following conditions:

(1) when approaching within 500 feet of the crest of a grade or a curve in a highway where the driver's view is obstructed for a distance which creates a hazard if another vehicle is approaching from the opposite direction;

(2) when approaching within 100 feet of or traversing an intersection or railroad grade crossing unless otherwise indicated by an official traffic control device; or

(3) when the view is obstructed upon approaching within 300 feet of a bridge, viaduct, or tunnel;

(4) repealed 6/28/79.

(b) The provisions in (a) of this section do not apply to a vehicle on a one-way roadway, or under the conditions described in 13 AAC 02.050(a)(3), or to the driver of a vehicle turning left from an alley, private road, or driveway.

13 AAC 02.065. Overtaking a vehicle on the left - limitations

(a) Except as provided in sec. 55 of this chapter, the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left of the overtaken vehicle at a safe distance, and may not return to its right lane until safely clear of the overtaken vehicle. Upon audible signal, the driver of the overtaken vehicle shall give way to the right in favor of the overtaking vehicle. If the driver of the overtaking vehicle must perform the passing maneuver in a lane reserved for oncoming traffic, the driver of the overtaken vehicle may not increase the speed of his vehicle until the overtaking vehicle has passed and driven back to the right side of the roadway.

(b) No vehicle may be driven to the left side of the center of a roadway in overtaking and passing another vehicle proceeding in the same direction unless authorized by this chapter and unless the left side of the roadway is clearly visible and free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completed without interfering with the flow of traffic approaching from the opposite direction or with a vehicle overtaken. The overtaking vehicle shall return to an authorized lane of travel as soon as practicable and, if the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within 200 feet of an approaching vehicle.

Special Rules for Bicycles, Nonmotorized Conveyances, Motorcycles, and Motor-Driven Cycles

13 AAC 02.400. Riding bicycles on roadways and bicycle paths

(a) A person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, ~~and shall give way to the right as far as practicable to a motor vehicle proceeding in the same direction when the driver of the motor vehicle gives audible signal.~~ except:

(1) when passing another bicycle or vehicle traveling in the same direction;

(2) when making a left turn at an intersection or driveway;

(3) when roadway or other conditions makes riding to the right dangerous or impractical;

~~(4) when the travel lane is too narrow to allow the passing vehicle and the bicyclist to travel side-by-side; or~~

(5) when authorized by traffic control devices, signs, or markings (i.e. bicycle lanes and shared lane use markings).

(b) Persons riding bicycles on a roadway may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

() Persons riding bicycles two abreast may not impede traffic and, ~~in a laned roadway,~~ shall ride within the as far thestto the right lanes as practicable.

(c) When a shoulder of the highway is maintained in good condition, an operator of a bicycle shall use the shoulder of the roadway.

(d) A person operating a bicycle on a trail, shared use path, sidewalk, or ~~sidewalk area~~ other facility solely intended for the use of non-motorized forms of transportation shall

(1) exercise care to avoid colliding with other persons or vehicles;

(2) give an audible signal before overtaking and passing a pedestrian; and

(3) yield the right-of-way to any pedestrian.

(e) Repealed 6/28/79.

(f) A person riding a bicycle intending to turn left shall, unless ~~he the operator~~ dismounts and crosses as a pedestrian, comply with the provisions of sec. 200 of this chapter. The operator of a bicycle must give a signal by hand and arm continuously during the last 100 feet traveled unless the hand is needed in the control or operation of the bicycle. When stopped to await an opportunity to turn, a hand and arm signal must be given continuously by the operator.

(g) No person may ride a bicycle upon a sidewalk in a business district or where prohibited by an official traffic-control device. (h) No bicycle race may be conducted upon a roadway, except as provided under AS 05.35.

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Special Rules for Snowmobiles and Other Off-Highway Vehicles

13 AAC 02.455. Operation on highways and other locations

(a) A snowmobile or an off-highway vehicle may be driven on a roadway or shoulder of a highway only under the following circumstances:

(1) when crossing a highway as provided in (f) of this section, or when traversing a bridge or culvert on a highway, but then only by driving at the extreme right-hand edge of the bridge or culvert and only when the traverse can be completed with safety and without interfering with other traffic on the highway;

(2) when use of the highway by other motor vehicles is impossible because of snow or ice accumulation or other natural conditions or when the highway is posted or otherwise designated as being open to travel by off-highway vehicles;

(3) when highway driving is authorized by an authority having jurisdiction over the highway, but only in accordance with restrictions which may be imposed by that authority with regard to highway use; or

(4) when driven on the right-of-way of a highway which is not a controlled-access highway, outside the roadway or shoulder, and no closer than three feet from the nearest edge of the roadway; night driving may be only on the right-hand side of the highway and in the same direction as the highway motor vehicle traffic in the nearest lane of the roadway; no person may drive an off-highway vehicle within the area dividing the roadways of a divided highway, except to cross the highway as provided in (f) of this section.

(b) Repealed 6/28/79.

(c) Repealed 6/28/79.

(d) Repealed 6/28/79.

(e) Repealed 6/28/79.

(f) A snowmobile or an off-highway vehicle may make a direct crossing of a highway if

(1) the crossing is made approximately at a right angle to the highway and at a location where visibility along the highway in both directions is clear for a sufficient distance to assure safety, and the crossing can be completed safely and without interfering with other traffic on the highway; and

(2) the vehicle is brought to a complete stop before crossing the shoulder or roadway, and the driver yields the right-of-way to all traffic on the highway.

(g) ~~A person operating a~~ snowmobile or other off-highway vehicle may not cross or travel on or within three feet of a sidewalk, a location intended for pedestrian ~~use or other~~ nonmotorized traffic, a bicycle lane, a path or other trail, an alley, or a vehicular way or area which is not open to snowmobile or off-highway vehicle operation, except as provided in (f) of this section.

Steps in the Regulation Adoption Process

