



**Bicycle & Pedestrian Advisory Committee Web Conference
Meeting Minutes**

December 17, 2020 • 5:00-7:00 p.m.

By computer at www.fastplanning.us/keepup/zoom

By telephone at: 1 (253) 215-8782 Meeting ID: 814 9107 4254

1. Call to Order

David van den Berg, Chair, called the meeting to order at 5:02 p.m.

2. Introduction of Members and Attendees

*David van den Berg, Chair

*Nathan Belz

*Donna Gardino

*Carl Heim

*Jim Richardson

*Peter Stern

*John Stowman

*Larry Zervos

**Jackson Fox

**Olivia Lunsford

**Deborah Todd

Stan Justice

Lt. Jess Carson

Susan Bissell

Travis Naibert

Carmen Brooks

***BPAC Representative**

****FAST Planning Staff**

3. Approval of the December 17, 2020 Agenda

Motion: To approve the December 17, 2020 Agenda. (Gardino/Stowman).

Discussion: No further discussion.

Vote on Motion: None opposed. Approved.

4. Approval of the November 19, 2020 Meeting Minutes

Motion: To approve the November 19, 2020 Meeting Minutes. (Gardino/Zervos).

Discussion:

Vote on Motion: None opposed. Approved.

5. Staff /Working Group/Chair Reports

Mr. Fox provided the following update:

- Mr. Fox reviewed the Executive Summary for the Draft Non-Motorized Plan and the full draft of the plan will be distributed to the BPAC for review next week and then to the Technical Committee and Policy Board for review in January 2021.

- Ms. Lunsford explained the Zoom Etiquette rules she created and the proper way to use the different features of Zoom such as chat, raising and lowering the hand icon when requesting to speak, and how to mute your computer during meetings to prevent background noise.

6. Public Comment Period

Stan Justice commented that back in 2002, 18 years ago, a group of them tried to ban snowmachines from the Borough and used the initiative process to try to put wording into the Borough Code that would ban snowmachines from the entire area. Mr. Justice stated that it created a lot of discussion and changed the entire community in his opinion. Mr. Justice stated that before that those trails were virtual raceways and there was at least one death per year. Mr. Justice stated that after that, things seemed to calm down and even though the initiative lost, just making a lot of noise made a huge difference. Mr. Justice stated that the Borough had no enforcement powers but there was a curfew that the State Troopers had gone to the Borough and asked that the curfew be placed in the Borough Code so they could cite that Code when they found kids out late at night. Mr. Justice commented that he encouraged them to think about that if their attempts to change the Statewide Code proved difficult. Mr. Justice commented that they might think about doing some things in Borough Code and work with the Troopers to try to get them enforced. Mr. Justice thanked them all for serving on the Committee.

7. Old Business

a. Changes to Alaska Administrative Code (AAC) and/or Local Laws

- 13 AAC 02 050 – Driving on Right Side of Roadway, Exceptions & Special Situations
- 13 AAC 02 400 – Riding Bicycles on Roadways and Bicycle Paths
- 13 AAC 02 455 – Operation of Off-Highway Vehicles on Highways & Other Location

Mr. Fox explained that Lt. Jess Carson with the Alaska State Troopers was in attendance to answer any questions they had on the legalities and enforcement of snowmachines and ATVs traveling on non-motorized paths. Mr. Fox explained that the Committee was looking at proposing some changes to the Alaska Administrative Code.

Lt. Carson explained his background related to the topic and explained that he was not allowed to give suggestions on changes to code.

Mr. Zervos asked about the enforceability of these regulations and whether it was correct that law enforcement was not able to enforce those regulations.

Lt. Carson explained that currently if an individual was on a bike path, they could be given a citation and possibly go to Court. Lt. Carson stated that if they actually hit someone they could be charged with assault or reckless endangerment and if they killed someone, they could possibly be charged with vehicular manslaughter. Lt. Carson stated that if there was a designated ski area that was well posted and a snowmachine was used on it, they could charge the snowmachine operator with misdemeanor criminal mischief or felony criminal mischief depending on the amount of damage they did. Lt. Carson stated that the Troopers had not put a lot of focus on enforcement on the paths or trails because they had not had many complaints about it, but they were subject to complaints and if people were calling in, they prioritized that on their list of duties.

Mr. Zervos asked if the Troopers could pull someone over if they saw them driving a snowmachine on a non-motorized path.

Lt. Carson stated that if they were not on a call, they would pull them over and give them a citation but were not allowed to pursue them. Lt. Carson stated that it was more common to issue citations in the summer than in the winter. Lt. Carson stated that they did let special interest groups come in and talk to them so if they wanted to come in and talk to the Troopers, they could set time aside during briefings.

Ms. Gardino asked Lt. Carson why they were not allowed to chase ATVs and if it was a safety concern.

Lt. Carson stated that he did not know why but it had been the policy in the 17 years he had been a State Trooper and it posed a crash risk when someone decided to run.

Ms. Gardino stated that they would appreciate any help in pursuing things that were enforceable. Ms. Gardino stated that it probably did not apply to the Troopers because it was mostly in the City regarding bicycles sharing the sidewalk with pedestrians and what his thoughts on that were.

Lt. Carson stated that he was not allowed to give suggestions on how to solve problems and if there was going to be a policy change written into law, it needed to be specific and make sure there was written enforcement and an added repercussion such as a monetary fine so that they had some enforcement mechanism to stop the action.

Mr. Belz stated that he understood that their ability to intervene was minimal.

Lt. Carson stated that did not say that they could not follow the tracks or maybe leave a note to contact the person. But if they ran, they were not allowed to pursue the vehicle or tackle them regardless if the vehicle was on or off the road.

Mr. Belz stated that he curious whether the enforcement should go in Alaska Administrative Code or Alaska Statute. Mr. Belz reiterated what Mr. Zervos said that they were making noise and saying it was a problem.

Mr. Stern stated that they got a report from the City Police Department that indicated the number of citations issued for vehicles on the bike path was low and asked if that was the case with the Troopers as well.

Lt. Carson stated that was probably the case.

Mr. Stern stated that he was curious about what the situation would be in rural areas of the State if they got this in the Administrative Code.

Lt. Carson stated that if they passed it in Alaska Statutes it would include all State-maintained roads and unless the City added it to their laws it would not cover any City of Fairbanks roads and the same would apply to the rural areas throughout the State. Lt. Carson stated that it would be a lot of work on their part as they would have to also change the City laws as well. Lt. Carson stated that he thought rural areas were more heavily enforced and thought Fairbanks was probably the worst area he had seen for the use of ATVs on bike paths and there did not seem to be a lot of enforcement on it.

Mr. Stern stated that they were also thinking about changing the State Statute for bicyclists regarding a group of bicyclists and whether they had to yield and how the Troopers treated a situation where they had a number of bicyclists on the road.

Lt. Carson stated that bicyclists on the road are required to go to the edge of the road. Lt. Carson stated that a bunch of bicyclists in the middle of the road was against the statute and vehicles were required to slow down for bicyclists on the side of the road.

Lt. Carson stated that more often they had seen vehicles run up against the bicyclist on the side of the road.

Mr. Zervos stated that the regulations they were working with were under AAC in Title 13 and asked if they were a violation that was punishable.

Lt. Carson stated that they could tell them to stop doing it but there was not a lot they could do to make them stop doing it so if they created an Alaska Statute for it, they needed to point out what the infraction punishment would be.

Mr. Zervos asked if there was an individual statute that set out the amount limit like there was for a traffic ticket.

Lt. Carson stated that if it was not specifically listed out, it was not enforceable.

Lt. Carson stated that he was not saying that it was not there but, all they knew about was the specific ones, because their computer program would not pull it up unless it was specifically typed in the TRaCS System program.

Mr. Zervos stated that the issuance of a traffic ticket was in the TRaCS System.

Lt. Carson stated that a lot of them were in TRaCS, but a random one like the one they were talking about was not in there.

Ms. Gardino asked Lt. Carson thought that an educational plan was something that the officers needed to have.

Lt. Carson stated that they always needed training because some of those things were taught in the academy but not used when they left the academy, so it was not enforced because it was not done regularly, so training programs were helpful.

Mr. Belz stated that the intent was not to limit the use of off-road vehicles in rural areas.

Mr. van den Berg asked Lt. Carson if the State of use was used in enforcement.

Lt. Carson stated that if it was paved, it was enforceable.

Mr. Belz asked how frequently Lt. Carson saw that on State roads.

Lt. Carson stated that the Denali Highway was a good example of that and if the roads were covered in snow, they would be able to do it and if there was a bridge, they allowed them to be on the shoulder.

Lt. Carson suggested that if they were interested in enforcement of a particular section of the Statutes, they could produce a flyer and put it up at the nearest Trooper Post where it would be seen by the Troopers.

It was agreed by the group that a subcommittee would be formed to revise the draft code language and bring it back to the group at the next meeting.

b. Winter Maintenance of Non-Motorized Paths

Mr. Fox explained that snow removal came up at most of the meetings and he and Ms. Lunsford put together a list of things that BPAC could and could not do regarding the operations of the City and State for winter maintenance. Mr. Fox noted that they could:

- Expand the representation at the Seasonal Maintenance Task Force to specifically address bike and pedestrian needs for a more well-rounded discussion.
- Bring the Mobility Recommendations Report back to revisit its content to see how well the practices outlined in it were being followed.

- Use GIS to create an updated map showing all the roads in our urban area and who was responsible for maintaining those roads as well as schools, bus stops, etc. and put it on the website.
- Encourage discussion between agencies about the idea of snow removal on sidewalks and bus stops being put out to bid. It would have to be budgeted but the City's budget would be reduced. The City of North Pole contracted out all their snow removal and if the City or State were not keeping up with snow removal it might be an option to contract that work out.
- Discuss equity with the Seasonal Mobility Task Force and how they were dedicating budget to maintenance on non-motorized facilities equally with motorized facilities.
- Voice their concerns about snow removal not meeting federal regulations with federal funding and the maintenance responsibilities that came with that as well as ADA requirements.

Mr. van den Berg commented that maybe they needed to have a road/sidewalk survey like the one they did in the summer in the wintertime.

Mr. Fox stated that DOT was tracking snow removal from the end of the snow event to when the roads were cleared, and they could do something similar in the City of Fairbanks.

Mr. Richardson commented that if they surveyed the road, they should do the sidewalks too.

Motion: To revive the Seasonal Mobility Task Force to update the "Mobility Recommendations Report." (Gardino/Stowman).

Discussion: Mr. Zervos stated that he thought it was a good report but wondered what good it did since it was made ten years ago and what had changed.

Ms. Gardino stated that she thought it was a good report but needed to be updated and they should appreciate their accomplishments and try to do better.

Ms. Lunsford stated that she thought the prospect of updating the report was exciting because there were so many more examples to look at and checking off some boxes and adding some new ones was going to be an eye opener.

Ms. Gardino stated that all the maintenance people responsible never used to meet and had been meeting since that document was completed so they were talking to each other and trying to identify deficiencies.

Mr. Heim commented that he thought a small portion of money could be set aside as a time and expenses contract to supplement the City and State when they got overwhelmed.

Mr. Fox stated that when they brought the Seasonal Mobility Task Force back to the table it would be a good thing to discuss.

Vote on Motion: None opposed. Approved.

8. New Business

a. New NCHRP “Guidance to Improve Pedestrian & Bicycle Safety at Intersections”

Mr. Fox explained that new NCHRP Guidance was published in 2020 to improve pedestrian and bicycle safety at intersections and stated that they could download it or he could send them all the link to it.

9. Other Issues

No other issues.

10. Committee Member Comments

- Mr. Stern commented that he ran across something that he had never encountered before as he was walking along Phillips Field Road and found a used syringe right on the roadway.

11. Adjournment

Motion to adjourn. (Belz/Richardson). The meeting adjourned at 7:08 p.m. The next BPAC meeting is Thursday, January 28, 2021, 5-7 pm.

Approved: _____



**Olivia Lunsford, Vice Chair
Bicycle & Pedestrian Advisory Committee**

Date: 01/29/21