



**For questions or concerns please contact:**

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[www.ci.kenai.ak.us/policedept.html](http://www.ci.kenai.ak.us/policedept.html)

**OFF ROAD VEHICLES  
CITY OF KENAI**

Steady increases in off-road vehicle travel have created a growing concern for public safety and environmental considerations.

The City of Kenai, through its police department, enforces local ordinances in an effort to address problems associated with operation of any vehicle defined as an off-road motorized vehicle within the city limits. These laws are located in Kenai Municipal Code (KMC) Subsection 13.40.010 – 13.40.080.

**DEFINITION: KMC13.40.010**

Off road vehicle operation is defined as:  
Any motor vehicle not authorized for operation on a public roadway according to state law or regulation.

**OR**

Any motorized vehicle that is being operated off of the maintained streets and roadways.

Most common examples of off road vehicle operation within the City include riding of three-wheelers, four-wheelers, and snow machines, however motorized go-karts, skateboards, or any licensed motor vehicle driven off of streets and roadways also meet this definition by city ordinance.

All state **and** local laws regarding Off Road Vehicle Operation apply within the Kenai City Limits.

**OPERATION: KMC13.40.020 (a-f)**

The following examples of violations listed in KMC are intended as a quick reference guide and are not complete listings. Please refer to a current copy of

the Kenai Municipal Code for complete and current definitions and associated fines for violations.

- a. Operating off-road vehicle on public or private property without express, written permission of the owner. \$100.00
- b. Operating off-road vehicle on municipal parks, municipal playgrounds, or school playgrounds. \$100.00
- c. On a City or State maintained roadway, sidewalk, path, or trail designed for bicycles or pedestrians. \$100.00
- d. On City or State maintained right-of-way that has been landscaped, seeded, or otherwise improved. \$100.00
- e. Operate off-road vehicles in such a manner as to disturb the peace and quiet of another. \$100.00
- f. Operate off-road vehicles in such a manner as to damage or destroy improved property or the terrain. \$100.00

All operators of off-road vehicles must be able to reach and operate all controls necessary for safety.

**SPECIAL STOPS REQUIRED:**

**[KMC13.40.030](#)**

In addition to all state laws, off-road vehicles must stop prior to crossing any street, roadway, or private drive. \$90.00

### **SPEED LIMITS: KMC13.40.040**

KMC code defines a maximum speed limit of 10 miles per hour when riding in close proximity of persons or a right-of-way for business areas, residential areas, parking lots, sidewalks, paths and trails designed for pedestrians or bicycles. \$75.00

### **HELMETS: KMC13.40.050**

No person under the age of 18 is allowed to operate any off-road vehicle without a helmet that meets the safety standards set by the State of Alaska. \$100.00

### **PARENTAL/GUARDIAN RESPONSIBILITY: KMC13.40.070**

The parent of a person in violation of any of the municipal ordinances governing off-road vehicle operation may be charged in addition to their child if:

1. They knowingly allow the violation to take place.

### **OR**

2. The parent fails to take reasonable precautions to prevent the violation.

## **OTHER APPLICABLE LAWS:**

13AAC02.345(b)(2) States: A police officer may impound and remove to a place of safety a vehicle that is found or operated on a highway without license plates or registration.

Alaska Statue 28.10.011 requires that all motor vehicles driven “upon a highway or other public place” shall be registered.

ATV’S do not, however, comply with the Federal Department of Transportation standards for tires and rims. No ATV on the market today meets the federal emission standards since no manufacturer has made such application. Therefore, they are deemed unsafe for road use and cannot be registered as motor vehicles.

13AAC 02.455. OPERATION ON HIGHWAYS AND OTHER LOCATIONS: 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;

(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) No snowmobile or other off-highway vehicle may cross or travel on a sidewalk, a location intended for pedestrian or other nonmotorized traffic, an alley, or other vehicular way or area which is not open to snowmobile or off-highway vehicle operation, except as provided in (f) of this section.

## **OFF ROAD VEHICLES**

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