

**ORDINANCE NO. 6355**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE  
CHAPTER 78, TRAFFIC AND VEHICLES, ADDING DEFINITIONS  
INCLUDING ELECTRIC-ASSISTED BICYCLE AND MOTORIZED  
BICYCLE AND PROVIDING FOR IMPOUNDMENT**

**WHEREAS**, electric vehicles with two tandem wheels are becoming increasingly common on streets, sidewalks, and pathways; and

**WHEREAS**, these vehicles range from low-speed bicycles to high-powered motorcycles; and

**WHEREAS**, the growing popularity and use of these vehicles has caused concern for the safety of all users of public roadways, sidewalks, and pathways; and

**WHEREAS**, designating appropriate areas for the operation of these electric vehicles promotes safe enjoyment for all users of these shared public spaces; and

**WHEREAS**, improving definitions for emerging recreational electric vehicles will help riders understand where they can operate safely and responsibly, supporting compliance; and

**WHEREAS**, current state law prohibits the operation of these electric vehicles on sidewalks generally and does not permit operation on public roadways without proper licensing, registration, and required safety equipment; and

**WHEREAS**, because many of these electric vehicles cannot be registered and many of their operators cannot be licensed, riders may unknowingly operate these vehicles in violation of law; and

**WHEREAS**, clearer local rules and consistent definitions will help riders understand where these electric vehicles can be used safely and will reduce conflicts between riders, pedestrians, and traffic.

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

**Section 1.** Fairbanks General Code Chapter 78, Article I, Section 78-2 is hereby amended, as follows [new text in **bold/underlined** font; deleted text in ~~strikethrough~~ font]:

**Sec. 78-2. - ~~Administrative Code~~ Definitions applicable to chapter.**

**(a)** The city incorporates by reference as if set forth fully in this chapter **the definitions provided in AS 28.90.990(a) and 13 AAC 40.010.** ~~The definitions set forth in 13 AAC 40.010 shall be the applicable definitions to this chapter.~~

(b) Additionally, the following definitions are used in this chapter:

1. "Bicycle" includes electric-assisted bicycle.
2. "Electric-assisted bicycle" means a bicycle, equipped with an electric motor, which has:
  - a. Fully operational pedals, which function to propel the bike;
  - b. A maximum assisted speed of 20 miles per hour; and
  - c. A maximum motor size of 750 watts.
3. "Motorbike" means a motorized bicycle, dirtbike, or similar conveyance with an engine attached; "motorbike" does not include electric-assisted bicycle.
4. "Motorized bicycle" means a bicycle equipped with a motor; "motorized bicycle" does not include electric-assisted bicycle.
5. "Public property" includes sidewalks, bicycle paths, and parks.

Section 2. Fairbanks General Code Chapter 78, Article XVI, Section 78-578 is hereby amended, as follows [new text in **bold/underlined** font; deleted text in strikethrough font]:

**Sec. 78-578. - Driving motorized vehicles on public property in certain areas prohibited; authority to impound vehicles.**

**(a) No person shall operate a motor vehicle, motorbike, or motor-driven cycle on any public property in any park, playground, school ground or on any bicycle path within the city, unless the vehicle is operated on a highway or vehicular way or area pursuant to state law, except:**

1. **Upon pathways—public property which has been expressly—specifically designated and posted by the governing authority for such operation purpose; except that**
2. **As permitted in borough parks and borough outdoor recreation areas; or**
3. **A authorized maintenance vehicles and others approved by the city engineer are shall be exempt from this section.**

**(b) A vehicle operated in violation of this section is subject to towing and impound. A vehicle impounded under this section may only be released upon proof of ownership and payment of the costs of impound, including towing and storage,**

in accordance with the City's Schedule of Fees and Charges for Services. The mayor may waive the costs of impoundment in whole or in part.

(c) If the operator of the vehicle is a minor at the time the vehicle is impounded, the vehicle may only be released to the minor's parent or legal guardian.

(d) After 30 days of impoundment, the vehicle is considered abandoned and may be disposed of as such without further notice to the owner.

(e) Within seven days after the impoundment, the owner of a vehicle impounded under this section may appeal the impoundment to the mayor. Within 10 business days of the filing of the appeal, the mayor shall conduct a hearing on the appeal to determine whether sufficient and probable cause existed to sustain the impoundment. The mayor's decision on the appeal is a final administrative decision, and any further appeal must be filed with the superior court within 30 days from the date of the decision in accordance with the Alaska court rules.

Section 3. When codified, references to the specific definitions in AS 28.90.990(a) and 13 AAC 40.010 used in this ordinance may be included as state law references, including bicycle, highway, motor-driven cycle, motor vehicle, sidewalk, vehicle, and vehicular way or area.

Section 4. The effective date of this ordinance is six days after adoption.

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Mindy O'Neill, City Mayor

YEAS (to postpone indefinitely): Marney, Cleworth, Ringstad, Tidwell, Sprinkle  
NAYS (to postpone indefinitely): None  
ABSENT: Therrien  
POSTPONED INDEFINITELY: September 28, 2026

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Thomas A. Chard II, City Attorney