

CITY COUNCIL REGULAR SESSION

Ordinance repealing Chapter 11.55 All-Terrain Vehicles of the Bellevue City Code (BCC) and establishing a new, updated Chapter 11.55 BCC Wheeled All-Terrain and Nonhighway Vehicles.

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EXECUTIVE SUMMARY

This Ordinance establishes an updated Chapter 11.55 entitled Wheeled All-Terrain and Nonhighway Vehicles. This update is necessary for consistency with the current definition in State law, clarifying that the general public are not allowed to use these vehicles on City streets, and providing an exemption to allow the use of these vehicles on City streets for the purpose of City business.

RECOMMENDATION

Move to adopt Ordinance No. 6503.

BACKGROUND/ANALYSIS

BCC 11.55 currently does not authorize the use of wheeled all-terrain vehicles on Bellevue's public streets. This has limited improved work practices the Transportation Department would like to employ in the area of trail maintenance. This has also limited other potential work practices that various other City departments would like to undertake to increase the efficiency and effectiveness of the services the City provides the public.

Under Title 46 of the Revised Code of Washington (RCW), cities can adopt a code to allow the use of all-terrain vehicles on certain City streets where the speed limits are less than 35 mph. Cities are also able to limit the use of wheeled all-terrain vehicles to specific circumstances, such as the conduct of official City business.

If Council were to revise the BCC to allow use of wheeled all-terrain vehicles for official City business (including City contractors) on Bellevue's public streets, the Transportation Department would immediately utilize the new code to improve maintenance on the 91 trails the department maintains throughout the City. Transportation plans to use a small but street legal vehicle (John Deere Gator) to conduct trail maintenance activities while reducing the safety impact on pedestrians and cyclists using the trail. Currently, Transportation can only access the trails with a full-sized truck, which blocks the trail to use. The new Gator will be able to carry all the supplies and equipment necessary to conduct effective trail maintenance but is significantly smaller than a standard size truck thus allowing trail users to more safely and easily pass. Staff have yet to implement this new maintenance practice because of BCC 11.55, which currently requires the Gator to be placed on a trailer and transported from trail to trail.

Revising BCC 11.55 to allow use of wheeled all-terrain vehicles for official City business on Bellevue's public streets would facilitate more efficient and effective trail maintenance as follows:

- Saves Time – Loading and unloading the wheeled all-terrain vehicle to transport it between trails would no longer be required, significantly increasing the number of trails that are inspected and maintained.
- Accessibility – Many trails are in neighborhoods with limited access, making parking a truck and trailer difficult, if not impossible.
- Work Zone Limits - Utilizing a smaller wheeled all-terrain vehicle will minimize the need for full lane closures resulting in less traffic congestion and increased safety for the public and City employees.

It is anticipated that other City departments will make use of this code change to improve work practices. For instance, the Utilities Department will likely use wheeled all-terrain vehicles to more easily access structures located in off-road locations, and the Police Department is evaluating advances in electric motorcycle technology to provide better response and access to parts of the City that are currently inaccessible by bicycle or Police fleet vehicles. The Fire Department will be able to more easily move their current WATV between response sites without having to transport it.

POLICY & FISCAL IMPACTS

Policy Impact

Approving the staff recommendation would continue to prohibit the public's use of wheeled all-terrain and nonhighway vehicles on City streets and sidewalks, while allowing the limited use of wheeled all-terrain vehicles for the conduct of official City business. This would increase the efficiency and effectiveness of trail and other City maintenance practices. Approval would also update the vagueness in the existing code and make it consistent with the current Revised Code of Washington (RCW).

This proposed code change went through a State Environmental Policy Act (SEPA) review, and no public comments regarding the change were received. A Determination of Nonsignificance (DNS) was issued January 2.

Fiscal Impact

There is no fiscal impact associated with implementing these changes.

OPTIONS

1. Adopt the Ordinance repealing Chapter 11.55 All-Terrain Vehicles of the Bellevue City Code (BCC) and establishing a new, updated Chapter 11.55 BCC Wheeled All-Terrain and Nonhighway Vehicles.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

Proposed Ordinance No. 6503

AVAILABLE IN COUNCIL LIBRARY

N/A