

Title 10

VEHICLES AND TRAFFIC

Chapters:

10.02 General Provisions

10.04 Enforcement and Obedience

10.06 *Repealed*

10.08 Traffic-Control Devices

10.10 Citations

10.12 Impounding

10.14 All-Purpose Vehicles on Public Roadways

Chapter 10.02**GENERAL PROVISIONS**

Sections:

- 10.02.010 Adoption of state laws by reference.
10.02.020 Traffic fine schedule – Adoption of state bail forfeiture schedules by reference.

10.02.010 Adoption of state laws by reference.

A. The city adopts by reference all vehicle and traffic statutes and regulations of the state of Alaska, as they presently exist and as they may be revised in the future, as the traffic code for the city; except offenses that can be penalized by incarceration.

B. At least one copy of the chapters of the Alaska Administrative Code and the Alaska Statutes adopted herein shall be filed in the office of the city clerk and shall there be kept available for public use, inspection and examination so long as the provisions thereof remain in force. [Ord. 680 § 4, 2016; Ord. 242 § 4, 1985.]

10.02.020 Traffic fine schedule – Adoption of state bail forfeiture schedules by reference.

The city adopts as its traffic fine schedule the “Traffic Bail Forfeiture Schedule” and the “Over-size Vehicle Bail Forfeiture Schedule” in Administrative Rules 43.1 and 43.6 of the Alaska Rules of Court and any other bail forfeiture schedules relating to vehicles adopted by the Alaska Supreme Court. In addition, the city adopts all amendments of those schedules that become effective after the effective date of the ordinance codified in this section. Citations for offenses listed on these schedules may be disposed of as provided in AS 12.25.195 through 12.25.230, without a court appearance, upon payment of the amounts listed plus the state surcharge required by AS 12.55.039 and 29.25.074. Fines must be paid to the city clerk. If a traffic offense is not listed on this fine schedule or another fine schedule ordinance, the defendant must appear in court to answer to the charges. Citations charging these offenses must meet the requirements of Minor Offense Rule 3 of the Alaska Rules of Court. If a person charged with one of these offenses appears in court and is found

guilty, the penalty imposed for the offense may not exceed the amount listed for that offense on the schedule. The fines established in this fine schedule may not be judicially reduced. [Ord. 680 § 4, 2016; Ord. 242 § 4, 1985.]

Chapter 10.04

ENFORCEMENT AND OBEDIENCE

Sections:

- 10.04.010 Authority of police and fire department.
- 10.04.020 Obedience to laws required.
- 10.04.030 Obedience to officials required.
- 10.04.040 Applicability to bicycles, push carts or animals.
- 10.04.050 Certain devices prohibited.
- 10.04.060 Applicability to public employees.
- 10.04.070 Impoundment for failure to pay fines.
- 10.04.080 Dispositions of fines.

10.04.010 Authority of police and fire department.

A. It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all street traffic laws of this city and all of the state vehicle laws applicable to street traffic in the city.

B. Officers of the police department are authorized to direct all traffic by voice, hand or signal in conformance with traffic law; provided, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

C. Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity. [Ord. 242 § 4, 1985.]

10.04.020 Obedience to laws required.

It is a violation of this title for any person to do any act which is forbidden or to fail to perform any act required to be performed in this title. [Ord. 242 § 4, 1985.]

10.04.030 Obedience to officials required.

The failure or refusal to comply with any lawful order or direction of a police officer or fire department official is a violation of this title. [Ord. 242 § 4, 1985.]

10.04.040 Applicability to bicycles, push carts or animals.

Every person propelling any push cart, riding an animal upon a roadway, riding a bicycle, and every person driving any animal-drawn vehicle shall be subject to the provisions of this title applicable to the driver of any vehicle, except those provisions of this title which by their very nature can have no application. [Ord. 572 § 4, 2006; Ord. 242 § 4, 1985.]

10.04.050 Certain devices prohibited.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, sled or similar device shall go upon any street or roadway except while crossing a street on a crosswalk; and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. [Ord. 242 § 4, 1985.]

10.04.060 Applicability to public employees.

The provisions of this title apply to the driver of any vehicle owned by or used in the service of the United States Government, of the state of Alaska or of the city, and it is unlawful for any said driver to violate any of the provisions of this title, except as otherwise permitted in this title or by state statute. [Ord. 242 § 4, 1985.]

10.04.070 Impoundment for failure to pay fines.

Any person who fails or refuses to pay fines duly assessed against him for violations of this title, after the accumulated fines equal or exceed \$300.00, shall become subject to impoundment of any motor vehicle of which he is a registered owner and which was involved in any of such violations. [Ord. 680 § 4, 2016; Ord. 647 § 4, 2013; Ord. 572 § 4, 2006; Ord. 535 § 4, 2004; Ord. 522 § 4, 2003; Ord. 264 § 4, 1988; Ord. 242 § 4, 1985.]

10.04.080 Dispositions of fines.

All fines collected upon conviction of any person charged with the violation of any of the provisions of this title shall be paid into the city treasury. [Ord. 680 § 4, 2016; Ord. 242 § 4, 1985.]

Chapter 10.06**PROVISIONS OF STATE LAW ADOPTED**

(Repealed by Ord. 680)

Chapter 10.08**TRAFFIC-CONTROL DEVICES**

Sections:

- 10.08.010 Authority to install.
- 10.08.020 Specifications.
- 10.08.030 Requirements for enforcement.
- 10.08.040 Interference with devices.
- 10.08.050 Crosswalks.
- 10.08.060 Traffic lanes.
- 10.08.070 Parking prohibitions.
- 10.08.080 Abandoned vehicle.
- 10.08.090 Unauthorized parking on private property.

10.08.010 Authority to install.

The city engineer or any police officer shall place and maintain traffic-control signs, signals and devices when and as required under this title and other traffic ordinances of the city to make effective the provisions of this title and other ordinances. [Ord. 242 § 4, 1985.]

10.08.020 Specifications.

All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of state law or this title are official traffic-control devices. [Ord. 242 § 4, 1985.]

10.08.030 Requirements for enforcement.

No provision of this title for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinary observant person. [Ord. 242 § 4, 1985.]

10.08.040 Interference with devices.

No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down or remove any official traffic-control device or any inscription, shield or insignia thereon, or any other part thereof. [Ord. 242 § 4, 1985.]

10.08.050 Crosswalks.

The city engineer or the police department is authorized to designate and maintain by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary. [Ord. 242 § 4, 1985.]

10.08.060 Traffic lanes.

A. The city engineer or the police department is authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

B. Where such traffic lanes have been marked, it is unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement. [Ord. 242 § 4, 1985.]

10.08.070 Parking prohibitions.

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets or portions thereof which the council may from time to time designate by resolution, with stated exceptions for specific hours indicated. [Ord. 242 § 4, 1985.]

10.08.080 Abandoned vehicle.

It is unlawful for any person to park a vehicle within the right-of-way of any public street or roadway for longer than 48 hours or to abandon any vehicle within such right-of-way. The presence of any vehicle which is inoperative and upon such right-of-way shall be prima facie evidence of abandonment. [Ord. 242 § 4, 1985.]

10.08.090 Unauthorized parking on private property.

It is unlawful for any person to park a motor vehicle on private property not his own and without the consent of the property owner. [Ord. 242 § 4, 1985.]

Chapter 10.10**CITATIONS**

Sections:

- 10.10.010 Forms and records.
- 10.10.020 *Repealed.*
- 10.10.030 Disposition and record.
- 10.10.040 Illegal cancellation.
- 10.10.050 *Repealed.*
- 10.10.060 *Repealed.*
- 10.10.070 Illegally parked vehicle.
- 10.10.080 Failure to comply with citation attached to vehicle.
- 10.10.090 Owner presumed driver.
- 10.10.100 *Repealed.*
- 10.10.110 Records.

10.10.010 Forms and records.

The chief of police shall procure and provide books of traffic citation forms which comply with the requirements of Minor Offense Rule 3 in the Alaska Rules of Court, identify the offender and the offense, and meet the needs of public safety and the administration of justice. [Ord. 680 § 4, 2016; Ord. 264 § 5, 1988; Ord. 242 § 4, 1985.]

10.10.020 Procedure of issuance.

Repealed by Ord. 680. [Ord. 264 § 6, 1988; Ord. 242 § 4, 1985.]

10.10.030 Disposition and record.

A. Every police officer, upon issuing a traffic citation to an alleged violator, shall deposit the original of the citation with the chief of police.

B. Upon the filing of such original citation, said citation may be disposed of only by trial before the magistrate of the district court, by other official action by the court, by payment of a fine imposed by the court and any required surcharge, or by payment to the police department of the fine and surcharge specified on the citation.

C. It is unlawful and official misconduct for any member of the police department or for any other officer or public employee to dispose of, alter, or deface a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint, or warrant in a manner other than as required by law. [Ord. 680 § 4, 2016; Ord. 264 § 7, 1988; Ord. 242 § 4, 1985.]

10.10.040 Illegal cancellation.

It is unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner other than as provided by this chapter. [Ord. 242 § 4, 1985.]

10.10.050 Citation deemed complaint.

Repealed by Ord. 680. [Ord. 242 § 4, 1985.]

10.10.060 Failure to obey.

Repealed by Ord. 680. [Ord. 242 § 4, 1985.]

10.10.070 Illegally parked vehicle.

Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by ordinances of the city or by state law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation for the driver to answer to the charge against him within 30 days during the hours and at a place specified in the citation. [Ord. 680 § 4, 2016; Ord. 242 § 4, 1985.]

10.10.080 Failure to comply with citation attached to vehicle.

If a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of 30 days, the clerk or any police officer shall send the vehicle owner a letter informing him/her of the violation and warning him/her that, in the event such letter is disregarded for a period of 30 days, he/she could be charged with failure to obey citation. [Ord. 688 § 4, 2016; Ord. 680 § 4, 2016; Ord. 242 § 4, 1985.]

10.10.090 Owner presumed driver.

A. In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, constitutes in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or

placed such vehicle at the point where, and for the time during which, such violation occurred.

B. The foregoing stated presumption applies only when the procedure as prescribed in CMC 10.10.070 and 10.10.080 has been followed. [Ord. 242 § 4, 1985.]

10.10.100 Warrant issuance.

Repealed by Ord. 680. [Ord. 242 § 4, 1985.]

10.10.110 Records.

A. The chief of police shall keep or cause to be kept a record of every complaint or citation issued and its final disposition.

B. The chief of police shall also maintain or cause to be maintained a record of all warrants issued by the magistrate which are delivered to the police department for service and of the final disposition of all such warrants. [Ord. 264 § 8, 1988; Ord. 242 § 4, 1985.]

Chapter 10.12

IMPOUNDING

Sections:

- 10.12.010 Authority.
- 10.12.020 Costs and fines.
- 10.12.030 Abandoned vehicle.
- 10.12.040 Sale of abandoned vehicles.

10.12.010 Authority.

A. Any police officer is authorized to impound a vehicle from a street or highway to the nearest garage or other place of safety, or if no such place exists within the city, the vehicle shall be impounded where it is as is, under the circumstances hereinafter enumerated:

1. When any vehicle is left unattended upon any bridge or causeway where such vehicle constitutes an obstruction of traffic;

2. When a vehicle upon a street or highway is so disabled as to constitute an obstruction of traffic and the person or persons in charge of the vehicle are by reason of physical disability incapacitated to such an extent as to be unable to provide for its custody or removal;

3. When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic;

4. When any vehicle is parked in violation of parking prohibitions defined by Alaska regulations adopted herein by reference;

5. When any vehicle is left unattended on the private property of any other person, without such other person's permission and such other person requests the chief of police to remove the same;

6. When the vehicle's owner has accumulated \$300.00 or more in unpaid fines or penalties pursuant to this title.

B. Whenever any officer removes a vehicle from a street as authorized in this section, and the officer knows or is able to ascertain from the registration record in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal, the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is

stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

C. Whenever any officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, and in the event the vehicle is not returned to the owner within the period of three days, then and in that event the officer shall immediately send or cause to be sent written report of such removal by mail to the state department or agency whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal, and the name of the garage or other place where the vehicle is stored. [Ord. 242 § 4, 1985.]

10.12.020 Costs and fines.

Before any vehicle which has been impounded is released, there shall be paid all costs incident to the removal and impounding of such vehicle, in addition to whatever fines may be imposed by the court upon the owner or operator of such vehicle for any violation of this title. Owner is responsible for storage cost of impounding vehicle at a charge of \$5.00 per day. [Ord. 453 § 4, 1998; Ord. 242 § 4, 1985.]

10.12.030 Abandoned vehicle.

When a vehicle has been impounded as provided in CMC 10.12.010, then if it has not been claimed or reported as a stolen vehicle within 30 days subsequent to the date when notice of such impounding was given as provided in CMC 10.12.010(B), it shall be deemed to be an abandoned vehicle. [Ord. 242 § 4, 1985.]

10.12.040 Sale of abandoned vehicles.

Any abandoned vehicle may be sold by the city as follows:

A. The clerk shall send via registered or certified mail to the owner of such vehicle, and to any person who holds a lien upon such vehicle, at such owner's or such lienholder's last known address, a notice which shall contain the following: an accurate description of the vehicle, the date that the vehicle was impounded, and a statement that unless the owner or lienholder reclaims the vehicle

within 10 days from the date of mailing such notice, that such vehicle shall be sold at public auction at a designated time and place. If with the exercise of reasonable diligence the name of the owner or of a lienholder in respect to such vehicle cannot be ascertained, or if no address can be found with respect to any such person, then the requirement for sending such notice shall be dispensed with.

B. After 10 days have elapsed subsequent to the date of the mailing of the notice provided in subsection (A) of this section, or if no such notice is required then at any time, an abandoned vehicle shall be sold at public auction after notice is given as follows: A written notice of the time and place of such sale shall be posted in three public places within five miles of the place where the sale is to be held, not less than 10 days prior to the date of sale, and one of such notices shall be posted at the post office nearest to the place where the sale is to be held.

C. At the time and place of such sale, such abandoned vehicle shall be sold to the bidder who makes the highest and best bid for cash. Any surplus remaining from the proceeds of such sale, after deducting the costs incident to the impounding and storage of such vehicle and in giving notice of such sale and selling the same, and deducting any accumulated fines owed to the city pursuant to this title, shall be held for the owner of such vehicle for a period of 10 days, and if not claimed by the expiration thereof shall be deposited into the city treasury.

D. The owner of any abandoned vehicle or lienholder in respect thereof may reclaim such vehicle at any time prior to the date of sale upon payment to the city of the following: any fine that may be imposed upon the owner or operator of such vehicle by reason of a violation of any provision of this title, and the costs incident to the impounding and storage of said vehicle.

E. If any abandoned vehicle is judged by the impounding officer under reasonable grounds to be worth less than the impound fee, the vehicle will be classified not for sale, and shall be turned over to the public works department for disposal of such vehicle. [Ord. 242 § 4, 1985.]

Chapter 10.14

ALL-PURPOSE VEHICLES ON PUBLIC ROADWAYS

Sections:

- 10.14.005 General.
- 10.14.010 Definitions.
- 10.14.015 Operators required to be licensed.
- 10.14.020 Registration required.
- 10.14.025 Insurance required.
- 10.14.030 Prohibited areas of operation.
- 10.14.035 Helmets required.
- 10.14.040 Lights.
- 10.14.045 Citation for defective equipment.
- 10.14.050 Public nuisance and impoundment.
- 10.14.055 Parental responsibility.
- 10.14.060 Owner responsibility.
- 10.14.065 Penalty for violation and impoundment.
- 10.14.070 Sunset date.

10.14.005 General.

All-purpose vehicles are allowed to be used on public roadways within the city limits of the city of Craig subject to requirements and restrictions shown in 13 AAC and the Craig Municipal Code. [Ord. 744 § 5 (Att. A), 2022.]

10.14.010 Definitions.

When used in this chapter, the following words and phrases shall have the meanings set forth in this section:

“All-purpose vehicle (APV)” as defined in 13 AAC 40.010(a)(67) means any self-propelled vehicle designed to travel on wheels or tracks in contact with the ground and is commonly used to transport persons for recreational purposes, including vehicles such as four-wheel-drive units, all-terrain vehicles (APVs), or utility terrain vehicles (UVs); does not include off-highway vehicles as defined in 13 AAC 40.010(a).

“Police officer” or “peace officer” means and includes the chief of police, any officer or employee of the police department and other persons authorized by the police chief to perform the duties of a “police officer.” [Ord. 744 § 5 (Att. A), 2022.]

