

	USE OF OFF-HIGHWAY VEHICLES PROHIBITED ALONG RIGHT-OF-WAY SIGNS		<i>Issued: AUG 2007</i>
			<i>Revised:</i>
			<i>Page 1 of 3</i>
RECOMMENDED PRACTICES	PART	HIGHWAY SIGNS	
	SECTION	REGULATORY	
	SUB-SECTION		

General

Each year, users of off-highway vehicles are tempted to use the highway right-of-way for their recreation; however, this practice creates a safety concern for both motorists and off-highway vehicle operators.

In Alberta, the majority of off-highway vehicles that create problems by traveling along the highway right-of-way are all terrain vehicles (ATVs), minibikes and snowmobiles.

There are safety issues associated with off-highway vehicles travelling along the highway right-of-way. For example, errant vehicles have the potential to strike off-highway vehicle users. In addition, off-highway vehicles damage ditches, backslopes, etc. which leads to erosion problems that can be significant and expensive to fix.

The Traffic Safety Act, Section 120(2), specifies that persons are prohibited from operating off-highway vehicles on any portion of the highway. The highway includes the roadway surface, ditches, medians, and right-of-way up to the fenceline, as defined in the Act.

Section 120(2) of the Traffic Safety Act reads:

120(2) A person shall not do any of the following:

- a) drive an off-highway vehicle on any property, whether publicly or privately owned, that the public

is ordinarily entitled or permitted to use, in a manner that constitutes driving carelessly;

- (b) except as permitted under this Act, drive an off-highway vehicle on any portion of a highway;

- (c) permit another person to drive an off-highway vehicle in contravention of this Act.

However, off-highway vehicles are allowed to cross the highway as specified in Section 120(3). The department discourages operators crossing at unsafe locations.

Off-highway vehicles, as defined in Section 117 of the Traffic Safety Act are any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain, including:

- 4-wheel drive vehicles,
- low pressure tire vehicles,
- motor cycles and related 2-wheel vehicles,
- amphibious machines,
- all terrain vehicles,
- miniature motor vehicles,
- snow vehicles,
- minibikes, and
- any other means of transportation that is propelled by any power other than muscular power or wind, but does not include motor boats, or any

other vehicle exempted from being an off-highway vehicle by regulation.

Exemptions

In the following cases, the above mentioned section of the Traffic Safety Act and the Use of Off-Highway Vehicles Prohibited Along Right-of-Way sign do not apply:

- Off-highway vehicles participating in a special event, as described in the Special Events Guide;
- ATVs used for field survey work on department projects, according to the stipulations in the Engineering Consultant Guidelines; and
- ATVs used for farming operations or emergency situations, in accordance with Ministerial Order #38/06.

Standard

A standard Use of Off-Highway Vehicles Prohibited Along Right-Of-Way sign is used to warn off-highway vehicle operators that use of their vehicles along the highway right-of-way is prohibited. The sign consists of black and red text on a white background.

The standard size of a Use of Off-Highway Vehicles Prohibited Along Right-of-Way sign is 900 mm x 1200 mm.



RC-103	900 mm x 1200 mm	
Colour	Symbol and Border Background	Red/Black White
Sheeting	ASTM, Type III or IV	

Guidelines for Use

A Use of Off-Highway Vehicles Prohibited Along Right-of-Way sign may be installed if:

- contact with local off-highway vehicle clubs has proved ineffective in educating operators;
- high volumes of off-highway vehicles are found to be traveling along the highway right-of-way; or
- off-highway vehicles in the highway right-of-way pose a significant risk to both the operators and motorists.

Guidelines for Placement

Use of Off-Highway Vehicles Prohibited Along Right-of-Way signs may be placed every 5 to 10 kilometers along sections of highway where a problem with off-highway vehicles in the highway right-of-way exists.

Signs should be strategically placed to target specific problematic areas, and could be more tightly spaced.

This sign may also be placed at key entry points into areas known to have high volumes of recreational off-highway vehicles.

Signs should be placed in accordance with the Recommended Practices guideline for Placement of Signs. This will enable any off-highway vehicle users traveling along the right-of-way to view the sign, in addition to educating motorists hauling or intending to use off-highway vehicles in the future.

References to Standards

Traffic Safety Act	Section 117, 120
Recommended Practices, Section: General	Placement of Signs
Engineering Consultant Guidelines	
Ministerial Order #38/06	
Special Events Guide	Second Edition, 2007