

REGIONAL MUNICIPALITY OF WOOD BUFFALO

Off-Highway Vehicle Pilot Project Plan

2024

*Approved by Council Resolution on April 9, 2024

PROJECT IDENTIFICATION	
Project Name	Off-Highway Vehicle Pilot Project
Sponsor Department	Legal Services, Bylaw Services
Delivery Department	Public Works

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PROJECT OVERVIEW

Introduction

On November 14, 2023, Council approved a motion THAT Administration be directed to bring forward a plan for a future pilot project that would allow for Off-Highway Vehicle (OHV) on road/direct route to trail use in Abasand, such plan to come forward before the end of the first quarter 2024.

In response, Administration established an Interdepartmental Working Group to assess existing regulations, benchmark similar bylaws, and propose improvements for responsible OHV use on roadways. The initiative aimed to delineate legal operating areas through mapping, striking a balance between promoting OHV recreation and safeguarding community spaces and infrastructure.

Definitions

In the context of the pilot project, the following definitions are applicable:

"Act" means the Province of Alberta *Traffic Safety Act - Off-Highway Vehicle Regulation*.

"ATV" means a vehicle that travels on low-pressure tires, has a seat that is straddled by the operator, and has handlebars, includes quads, and three wheelers.

"Council" means the Council of the Regional Municipality of Wood Buffalo.

"Dirt Bike" means a special type of motorcycle designed for riding over rough ground.

"Greenspace" - means all publicly owned and maintained areas throughout the municipality, such as parks, gardens, public utility lots, sport fields, and passive open areas. These spaces are used for various purposes, including leisure activities, environmental functions, community gatherings, and aesthetic enhancement.

"Highway" means any public streets or roadways, assumed, and maintained by the Regional Municipality of Wood Buffalo.

"Multiuse Trail" - means any travel way designated by the RMWB for non-motorized traffic to provide access to recreational opportunities, commercial areas, or educational facilities.

"Off-Highway Vehicle (OHV)" means a motorized land vehicle predominantly used for recreation purposes on unimproved roads and trails, including side by side and UTV vehicles, all-terrain vehicles (ATV), four-wheelers, three-wheelers, and dirt bikes. Snowmobiles are not included.

"OHV Trail" means trails designated for the use of OHV's.

"Operator" means a person who drives or is in actual physical control of an Off-Highway Vehicle.

“Roadway” means that part of a highway intended for use by vehicular traffic.

“Snowmobile” means a motor vehicle with skis/runners and tracks, meant for travelling over snow.

“Traffic Control Device” means any sign, signal, marking, or device placed, arched, or erected under the authority of the *Traffic Safety Act* for the purpose of regulating, warning, or guiding traffic.

“UTV” means a motorized OHV having four or more low pressure tires, designed with side-by-side seats, seatbelts, steering wheel, and optional cab, brush cage, or Roll Over Protection Structure (ROPS), includes side by sides.

Objective

The pilot project aims to achieve Council’s November 2023 resolution wherein Administration was tasked with presenting a plan for a pilot project enabling Off-Highway Vehicle (OHV) use on roads/direct routes to the existing Abasand staging area, which provides access to existing OHV trails. Allowing OHV use on roadways aims to improve OHV user experience while simultaneously increasing safety on multi-use trails and reducing damages to municipal greenspaces.

Strategic Goal

The OHV pilot project was developed in alignment with Council’s 2022-2025 Strategic Plan by upholding the following values:

Local Economy - We have the potential to make the region a destination of choice for economic development and quality of life by supporting growth of the local business community and to improve services to residents.

Building Partnerships - We recognize there is value in working together. We welcome insight and appreciate collaboration from all groups and stakeholders in order to bring together elements that will help ensure communities continue to grow into the homes we love and homes which welcome others.

The pilot project further supports the recommendations in the 2022 Urban Service Area OHV Strategic Plan.

PROJECT DETAILS

Background

In the Urban Service Area of the Regional Municipality of Wood Buffalo (RMWB), the integration of Off-Highway Vehicle (OHV) use necessitates effective access control measures, limiting access to specific routes, protecting open spaces, and ensuring multiuse trail asset preservation. Current OHV access faces challenges as users, seeking proximity and convenience, access unauthorized areas, raising concerns about public and rider safety, damage to infrastructure, and other associated risks.

A 2022 Urban Service Area OHV Strategic Plan recommends a feasibility assessment for

allowing OHVs on public roadways, supported by 89% of the approximately 2200 survey respondents. The pilot project aims to implement this recommendation, permitting residents near OHV trails to access these trails from their homes via public roadways. Legally permitting and regulating this activity requires a new bylaw.

Developing an effective pilot project involved a comprehensive approach. A multidisciplinary working group, comprising individuals from various RMWB departments, was established and continues to collaboratively engage in brainstorming sessions to generate innovative ideas; assess risks and opportunities; and develop plans and bylaws. This working group consists of representatives from Community Services, Legal Services, Organizational Support Services, Planning and Development Services, Public Works, Project Management Office, RCMP and Regional Emergency and Protective Services.

Extensive research was conducted on six communities within Alberta and across the country, serving as benchmarks. The goal was to analyze methods of permitting on-road OHV use and assess successes and challenges. Concurrently, close collaboration with the Wood Buffalo Recreation Rider's Association provided valuable insights into the priorities of regular OHV users and local OHV trail enthusiasts.

Additionally, the working group consulted several guiding documents, including the Province of Alberta Traffic Safety Act and the RMWB 2022 Urban Service Area OHV Strategic Plan. This thorough examination of existing frameworks and community input laid the groundwork for a well-informed and strategic pilot project implementation.

Opportunities and Impacts

Data Collection and Analysis	A pilot project allows for the collection of valuable data of OHV use on roadways, including the number of participants, usage patterns, and any issues that may arise. This data can inform future decision-making.
Community Feedback	The pilot project provides an opportunity to gather feedback from residents, businesses, and other community groups. This input can help gauge community sentiment and identify concerns or areas of support.
Identification of Challenges	Identify and address challenges that may arise, such as safety concerns, noise issues, legal and liability concerns, or conflicts with other road users. This information is crucial for refining regulations and enforcement strategies.
Safety Assessment	Allows for a comprehensive safety assessment, identifying potential risks, such as accidents or collisions involving OHVs, and implementing measures to mitigate these risks and enhance safety for OHV users and other road users.
Community Engagement and Education	The pilot project serves as an opportunity for community engagement and education. Informational campaigns can help educate residents about responsible OHV road usage and address any misconceptions.
Flexibility for Adjustments	The temporary nature of a pilot project allows for flexibility in adjusting or even discontinuing the initiative if unforeseen challenges or negative impacts emerge.

Recreational Prospects	New and diverse recreational possibilities for enthusiasts allow OHV users to explore natural landscapes and enjoy outdoor activities.
Overall Resident Satisfaction	As the satisfaction of OHV users increases, it could create a ripple effect, fostering a sense of community pride and contentment in Fort McMurray. This positive atmosphere could transform the town into a model of responsible OHV use and contribute to a heightened quality of life for residents.
Potential for Tourism Diversification, Economic Boost, Improved Reputation	The improved recreational landscape not only enhances the daily experiences of locals but also positions Fort McMurray as an attractive destination for individuals seeking a well-rounded lifestyle. Beyond being a place to work and live, the town becomes a hub for recreational enjoyment, drawing people to explore and revel in the natural amenities that surround it.
Increased Summer Road Maintenance	OHV use on roadways, may increase the amount of dust, dirt, and debris on roadways. The pilot project will identify the potential need for increased maintenance, such as sweeping and flushing of roads.
Negative Public Perception	If the project has a negative overall impact it could lead to a negative public perception, potentially influencing future decisions and community support.
Enforcement Impacts	OHV use on roadways could result in increased monitoring and enforcement requirements, potentially requiring additional resources.
Location	
The OHV pilot project, along with the necessary bylaw to regulate how OHVs can be used on the roadways, will exclusively apply within the community of Abasand, Fort McMurray.	

Timeline

Anticipated launch schedule for OHV Pilot Project implementation:

- Council approval of OHV Pilot Project Plan- April 9, 2024
- Start of public engagement - April 10, 2024
- Adoption of Bylaw - May 28, 2024
- Start of Pilot Project and Bylaw in force - June 15, 2024
- Signage supply - May, 2024
- Signage install - June, 2024
- Launch public education - May - June 2024

OHV Pilot Project duration schedule:

- Bylaw to be active for two years - June 2024 - May 2026
- A targeted workshop and online public engagement will be completed by the end of Q2 of 2025.
- Ongoing monitoring of overall success as well as potential next steps to take place in Q4 of 2025.
- A review of the Pilot Project by the Working Group in Q2 2025 will facilitate a review that considers the success of the pilot in the various conditions created by all four annual seasons. This review, paired with the feedback from the community, will be shared with Council as part of the overall pilot project evaluation.
- Prior to the expiry of the Bylaw (in Q1 2026), a final round of online public engagement will occur. A report will be shared with Council as part of the overall pilot project evaluation.
- Following the evaluation of the pilot project, the Working Group will make a recommendation to Council to amend, extend, or permit expiry of the OHV Pilot Program Bylaw.

SCOPE

Scope Inclusions

The scope of the pilot project encompasses the controlled implementation of Off-Highway Vehicle (OHV) use exclusively within the Abasand community of Fort McMurray. The project will focus on the adherence to specified guidelines, safety protocols, and operational restrictions, with no extension to public roadways, greenspaces, or trails outside the designated area.

Licensing and Registration

- OHV must be a registered vehicle.
- Basic auto insurance as a minimum (accident benefits and third-party liability).
- License plate must be attached securely to the front or rear of the vehicle so that it is clearly visible.
- Class 5 driver's license required to operate.

Additionally, on the request of a peace officer, a person driving an off-highway vehicle shall

produce to the peace officer for inspection the following documents:

- The person's subsisting operator's license if the vehicle is being operated on a highway.
- The subsisting certificate of registration issued in respect of that vehicle.
- The subsisting financial responsibility (insurance) card issued in respect of that vehicle.

Safety Requirements

- Safety helmets are mandatory for both drivers and passengers of all off-highway vehicles, excluding OHVs equipped with manufacturer-installed rollover protective structures and unaltered seat-belt assemblies, which are properly worn.
 - o OHV safety helmets must comply with the same standards that exist for motorcycle helmets in Alberta's Vehicle Equipment Regulation.
- Seat belts must be worn in OHVs if equipped.
- If an OHV is equipped with turn signals, they must be in working order and used appropriately. In the absence of turn signals, arm signals shall be utilized.
- OHVs must have at least one red tail lamp mounted on the rear of the vehicle. The tail lamp must be capable of emitting a red light that is visible from at least sixty meters to the rear.
- OHVs must have one to two headlamps mounted on the front of the vehicle. The light must be white, and the lens and bulb must be clear and un-tinted. Headlamps must be of sufficient intensity to reveal a person, another vehicle, or anything that is at least sixty meters ahead. Headlamps must not be positioned so that they shine in the eyes of an approaching driver. Nothing shall be attached or applied to headlamps to change the colour of part of the headlamp or bulbs.
- OHVs must be equipped with a functioning muffler which cools, expels exhaust gases without excessive noise and without producing flames or sparks. Exhaust outlets must not be widened, cut, or modified in any way. Additionally, devices attached to a muffler are not permitted.
- Off-highway vehicles may only carry passengers on municipal roads if the vehicle is designed by the original manufacturer to carry passengers, passengers shall be limited to available seats.
- Off-highway vehicles shall not be permitted to utilize car seats.
- At all times, OHV users shall operate the OHV in a manner consistent with manufacturer specifications.

Rules of Operation

- Where multiple OHVs are travelling as part of a group they must travel in single file.
- Passing of any vehicles, including other OHVs, is not permitted in single lane traffic.
- OHVs may only stop at gas stations.
- OHVs are only permitted to access public roadways, gas stations, and designated OHV staging areas, all other areas are prohibited.
- Prohibited areas for OHVs include greenspaces, parks, pedestrian trails, and sidewalks.
- On-street parking of OHVs is prohibited.
- OHVs operating on municipal roadways must adhere to posted speed limits, traffic laws, and obey all traffic control devices.
- OHV operation will strictly comply with any applicable provincial restrictions and bans.
- OHVs are permitted to tow on municipal roadways only when the hitch or attachment

<p>used has the capacity to control the vehicle being towed and prevents the towed vehicle from colliding with the towing vehicle and is not more than 1.83m long. Trailers to require lights.</p>
<p>Scope Exclusions</p>
<p>The pilot project's scope does not extend to the utilization of Off-Highway Vehicles (OHVs) on public roadways, greenspaces, or trails within the Regional Municipality of Wood Buffalo (RMWB) beyond the confines of Abasand.</p>
<p>Assumptions</p>
<ul style="list-style-type: none"> - Circulations and approvals will be done in a timely manner to prevent delays in project delivery. - Senior Leadership and Council will support the plans and strategies determined and direct administration to proceed with implementation. - Compliance with all applicable laws, regulations, and safety standards will be maintained throughout the project duration. - Adequate funding will be allocated to support the pilot project, ensuring the availability of necessary resources. - Relevant stakeholders, including community members and OHV users, will be engaged for feedback and collaboration during the project lifecycle.

PROJECT EVALUATION

Measurements of Success

Measuring the success of the program will involve evaluating key performance indicators including:

Safety Metrics:

- Measuring and monitoring of OHV-related incidents.
- Adherence to safety protocols and guidelines.

Compliance and Enforcement:

- Degree of compliance with OHV regulations and established guidelines.
- Effectiveness of enforcement measures in ensuring adherence to rules.

Community Engagement:

- Participation in public engagement opportunities
- Level of public education and awareness of the pilot project and engagement opportunities.

Infrastructure Utilization:

- Proper use of designated routes and trails by OHVs.
- Monitoring of damage to turf, greenspaces, and parks.

Operational Efficiency:

- Efficient handling of OHV-related complaints or issues.

User Satisfaction:

- Surveys or feedback mechanisms to gauge user satisfaction.

- Perception of the program's effectiveness and benefits among OHV users.
- Collaborate with the Wood Buffalo Recreational Rider's Association and request assistance with assessing user satisfaction.

Resource Allocation:

- Efficiency in resource utilization, considering budget, manpower, and equipment.
- Monitoring of any unexpected resource requirements.

Legal and Regulatory Compliance:

- Adherence to relevant provincial and municipal laws.
- Absence of legal issues or disputes related to the pilot project.

Regularly assessing these metrics throughout the pilot project will provide a comprehensive view of its success and areas for potential improvement.

DELIVERABLES & BUDGET

Deliverables

Deliverables for the pilot project include:

- Project Plan
- Maps of Approved Area
- Safety Guidelines
- Monitoring and Enforcement Plan
- Communication Plan
- Engagement Plan
- Final Report

Budget

Anticipated expenditures for the commencement of the pilot project:

- Costs associated with signage procurement and installation (\$1,500)
- Additional street sweeping as required (2 hours bi-weekly April-October \$5,400)

STAKEHOLDERS, ROLES & RESPONSIBILITIES

Internal (RMWB) - Primary/Key Stakeholders

Project Owner/Sponsor: Public Works, Roads	<ul style="list-style-type: none"> - Act as final decision-making authority regarding business goals and timelines within which the project must be delivered. - Ensure planning or resources and schedules to meet project requirements. - Provide timely approval of all scope change requests. - Work with stakeholders to ensure that the project outcomes are achieved.
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Receiving Department/ Branch: Senior Leadership Team (office of the CAO)	- To confirm that the deliverables meet the expectations and needs of the project.
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Secondary Stakeholders

Environmental services	- Confirm that the department is aware of the project and deliverables meet the expectations and needs of the department.
Communications	- Develop and implement a communication plan that focuses on safety, compliance, education.
Project Management Office	- Confirm that the department is aware of the project and the deliverables.
Public Engagement	- Develop and implement a public engagement strategy that obtains feedback from indigenous partners and community stakeholders, and establish a baseline to measure success over time.
Land Administration	- Confirm that the department is aware of the project and the deliverables.
Planning & Development	- Confirm that the department is aware of the project and the deliverables.
Community and Protective Services	- Confirm that the department is aware of the project and deliverables meet the expectations and needs of the project. - Assist with drafting Bylaw and develop enforcement plan.
Legal Service	- Confirm that the department is aware of the project and the deliverables. - Review proposed plans, strategies and Bylaw from a legal perspective and provide recommendations.

External Stakeholders

Customers (Public)	- Inform residents of the project and update as needed.
Local Rider's Association	- Liaise with, provide updates, and collect feedback from
Fish and Wildlife Officer	- To confirm the deliverables for consulting services are in the right direction. - Key contact in project as subject matter experts. - Key resources for information, statistics, process, etc.

COMMUNICATIONS & ENGAGEMENT PLAN

Goal	The primary goal for the communications and engagement plan is to ensure comprehensive community awareness and foster a sense of safety among all residents of Abasand, regardless of their direct involvement in the program.
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Theme	The primary theme for communication and engagement regarding the pilot project is safety. The aim is to stress safety in all communications, encourage users to "Ride Right: Ride Safe in Abasand." There will be an additional emphasis on the importance of provincial wildlife restrictions and OHV bans.
Education Phase	Following Council's approval of the bylaw, the Communications Department will initiate a public education campaign about the OHV pilot project.
Audience & Partners	<ul style="list-style-type: none"> - OHV riders and non-OHV riders of Wood Buffalo - Wood Buffalo Recreational Rider's Association - Bylaw/Peace Officers/RCMP - Conservation Officers, Forest Rangers, Fish and Wildlife - Local businesses and schools - Tourists - Abasand residents - McMurray Sno-Drifters Club - Fort McMurray Search and Rescue - Fort McMurray Metis - Fort McMurray First Nations 468 - Francophone Association - Safe Community Wood Buffalo - Fort McMurray Wood Buffalo Economic Development and Tourism - OHV Dealers - Condo Association - RCMP - Ride North Moto
Strategy	<p>Media</p> <ul style="list-style-type: none"> - News releases will be used to communicate key milestones. <p>Advertising</p> <ul style="list-style-type: none"> - Printed mailouts or doorknockers (Abasand) - Printed trifolds (OHV retailers/renters, tourist centers, registries, etc.) <p>Signage</p> <ul style="list-style-type: none"> - Visible signage on roadway where riding area begins and ends, where trails come to a public roadway. - Entrance of Abasand and throughout the community - Esso gas station. - Weather resistant signs at trail heads that summarize rules and regulations with a QR code for more information. - Abasand bus stop signage. <p>Web</p> <ul style="list-style-type: none"> - New webpage Rmwb.ca/OHV, will include links to bylaw, FAQ, regulations explained, maps, safety tips, videos, hours, etc.

	<p>Social Media</p> <ul style="list-style-type: none"> - Leverage relationship with Rider’s Association. - Social posts created with the intent to engage and inform on all social platforms (Facebook, X, Insta). - Filming short videos in Abasand with an OHV. Highlight safety/operational requirements. <p>Engagement</p> <ul style="list-style-type: none"> - Targeted workshops with indigenous partners and community stakeholders. - Public online engagement Q2 2024, Q2 2025, Q1 2026.
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COMPLIANCE STRATEGY

The OHV Compliance Strategy focuses on OHV use in the area of Abasand and is intended to achieve the following three objectives:

1. Enhance public awareness of the rules governing OHV use
2. Consistency and clarity in response to non-compliances
3. Increase levels of voluntary compliance, particularly in residential neighborhoods and areas with high pedestrian traffic.

The framework to achieve the identified objectives includes the following strategies:

1. Traffic Stops: Stop signs on municipal property and high pedestrian areas will enable officers to detect and respond to contravention of the municipality’s bylaw or provincial statues or regulations.
2. Directed Enforcement: focus on enforcement operations in areas which have been heavily reported or identified as areas of concern for unauthorized OHV use. Added attention given to green spaces, schools, and playgrounds.
3. Safety and Quality-of-Life Infractions: focused efforts on identifying and responding to OHV infractions that impact public or users, safety where the infraction may negatively impact quality of life for residents.
4. Enhanced Awareness Campaign: the Bylaw Services Branch in collaboration with the Communications Department will focus on educating the public about the rules for OHV use within the Abasand Pilot Project, fines, and other consequences, as well as encouraging calls for service from the public.

RISK IDENTIFICATION	
External Risk	
Regulatory	Can be defined as the possibility that changes to the bylaw could have a negative impact on the Municipality.
Litigation	Municipality is a target for lawsuits. Even in instances where the Municipality has statutory protection from liability or has put significant mitigations in place to make a public space safe for its intended use. This is not guaranteed to prevent an individual or insurance company from suing the Municipality where injury results from OHV use in a public space.
Polarizing & Contentious Issue (Public)	This issue comes up especially during Wildfire season as OHV use can increase risk of wildfire.
Reputation	Should the pilot project have negative results, the repercussions include loss of public trust, community discontent, opposition to future initiatives
Internal Risk	
Occupier's Liability, Negligence & Duty of Care	As owner of the trail system, roads, and most of the greenbelt spaces in the Urban Service Area, the Municipality has a legal obligation to the users of these spaces to ensure that they are suitable and safe for their intended uses. The extent of this legal obligation depends on a number of factors including the characteristics of the space, the intended use of the space and even the age of the user.
Incompatibility with Existing Contracts	The Municipality is party to a large number of contracts with government, industry, and individuals. In some cases, there may be legal obligations that the Municipality has accepted or rights that the municipality has granted that should be considered when deciding whether or how to allow OHV use in the Urban Service Area.
Responsibility as Land Owner	As the owner of most greenbelt spaces in the Urban Service Area, the Municipality is likely to be the party held responsible for remediation of any damage caused to these lands by OHV use, particularly where the damage may have adverse impacts to the environment.

SUPPORTING DOCUMENTATION
Province of Alberta Traffic Safety Act - Off-Highway Vehicle Regulation
Province of Alberta Trails Act
RMWB 2022 Urban Service Area OHV Strategic Plan