

ADAMS COUNTY ORDINANCE NO. 2010-05

Adams County Snow Chain Ordinance

The purpose of this ordinance is to provide and enhance winter highway safety in Adams County on specific high-volume roads during periods of snow and/or ice. The highways and areas of impact of this ordinance are U.S. Highway 95 from milepost 141 to the Adams County/Idaho County border, and Highway 55 from the City of New Meadows, Idaho to the Adams County/Valley County border.

Definitions: the following definitions are controlling for the purpose of this ordinance:

Chains: as defined in section 49-104, Idaho Code means metal traction devices which consist of two (2) circular metal loops, one (1) on each side of the tire, connected by not less than nine (9) evenly-spaced chains across the tire tread. Any other traction device differing from chains in construction, material or design but capable of providing traction equal to or exceeding that of chains under similar conditions may be used.

Commercial vehicle: as defined in section 49-123(2)(c)(i) and (ii), Idaho Code, a motor vehicle or combination of motor vehicles designed or used to transport property if the motor vehicle:

1. Has a manufacturer's gross combination weight rating (GCWR) in excess of twenty-six thousand (26,000) pounds inclusive of a towed unit with a manufacturer's gross vehicle weight rating (GVWR) of more than ten thousand (10,000) pounds;

or

2. Has a manufacturer's gross vehicle weight rating (GVWR) in excess of twenty-six thousand (26,000) pounds

Exempt Vehicles: The following classifications of vehicles are exempt from the Chaining requirements of this ordinance:

1. Motor vehicles operated by the Idaho Transportation Department, Adams County Road & Bridge Department, City of Council road maintenance department, and City of New Meadows road maintenance department when used in the maintenance of the city, county or state highway system.
2. Motor vehicles employed solely in transporting school children and teachers to or from school or to or from approved school activities, when the motor vehicle is either:
 - a. Wholly owned and operated by such school; or
 - b. Leased or contracted by such school and the motor vehicle is not used in furtherance of any other commercial enterprise;

3. Motor vehicles controlled and operated by any farmer/rancher when used in the transportation of the farmer's farm/ranch equipment or in the transportation of supplies to the farm/ranch;
4. The transportation of agricultural products including fresh fruits and vegetables, livestock, livestock feed or manure at any time of the year;
5. Motor propelled vehicles for the sole purpose of carrying United States mail or property belonging to the United States;
6. Motor carriers transporting non-manufactured products of the forest at any time of the year, including chip trucks;
7. Motor carriers transporting products of the mine including sand, gravel and aggregates thereof, excepting petroleum products; and
8. Vehicles properly equipped, designed and customarily used for the transportation of disabled or abandoned vehicles by means of a crane, hoist, tow bar, dolly or roll bed, commonly known as a "wrecker truck" or "tow truck."
9. Designated/Authorized emergency vehicles.

Loss of Traction: the inability of a vehicle to stop, turn, proceed forward or backward in a sustained, controlled manner without skidding, sliding or becoming stuck.

Snow Impact Area: The following areas within Adams County Idaho comprising U.S. Highway 95 from milepost 141 to the Adams County/Idaho County line, and Highway 55 from the City of New Meadows Idaho to the Adams County/Valley County line.

Ordinance Provisions and Requirements

No person shall operate a commercial motor vehicle upon any portion of Highway 95 or Highway 55 within the snow impact area without chains when that portion of the highway has reduced traction due to snow or ice. The chain requirement shall be met by chaining a minimum of one (1) tire on each side of:

- (a) One (1) drive axle, regardless of the number of drive axles;

and

- (b) One (1) axle at or near the rear of each towed vehicle. Such axle shall not include a variable load suspension axle or an axle of a converter dolly.

For the purposes of this ordinance, it shall be prima facie evidence that chains are required:

- (c) if any person operating a commercial motor vehicle experiences a loss of traction preventing or inhibiting travel on the roadway, or loses control of a commercial motor vehicle in the snow impact area.
- (d) if the highway surface in the snow impact area is snow or ice covered to any degree that reduces traction.

It is the driver's responsibility to insure the proper installation and maintenance of tire chains when necessary to prevent loss of traction.

Severability Clause

Should any part of this Ordinance be rendered or declared invalid by a court of competent jurisdiction of the State of Idaho, such invalidation of such part or portion of this Ordinance should not invalidate the remaining portions thereof, and they shall remain in full force and effect.

Penalties:

1. Any person operating a commercial motor vehicle without chains when chains are required, in the snow impact area, and who experiences loss of traction or loses control of a commercial motor vehicle and obstructs traffic or requires wrecker and/or law enforcement assistance to provide for traffic safety or vehicle recovery, is guilty of a misdemeanor.

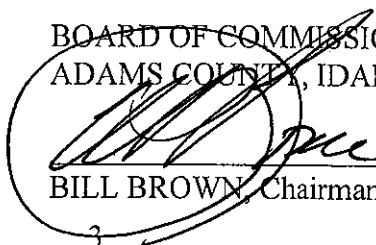
The penalty for a misdemeanor violation of this ordinance shall be \$300.00 plus restitution costs for emergency services provided to mitigate any traffic safety hazard as determined by the Adams County Sheriff's Office.

2. Any person operating a commercial motor vehicle in the snow impact area without installing chains is guilty of an infraction.

The penalty for an infraction violation of this ordinance shall be \$150.00

APPROVED by the Adams County Board of Commissioners on the 22 day of November, 2010.

BOARD OF COMMISSIONERS
ADAMS COUNTY, IDAHO


BILL BROWN, Chairman of the Board

Mike E. Paradis

MIKE E. PARADIS, Commissioner

ATTEST:

Sherry Ward

SHERRY WARD, Clerk of the Board

Joe Holmes

JOE HOMES, Commissioner

