

Regulations relating to motor traffic in Svalbard

Implementing legislation: Adopted by the Ministry of the Environment (now the Ministry of Climate and Environment) on 24 June 2002 under sections 80, 81, 82 and 83 of the Act of 15 June 2001 No. 79 relating to the protection of the environment in Svalbard (Svalbard Environmental Protection Act).

Amendments: amended by the regulations of 24 June 2002 No. 1084, 12 May 2013 No. 469, 15 March 2013 No. 284, 20 December 2013 No. 1689, 19 December 2013 No. 1757, 10 April 2014 No. 525, 6 December 2016 No. 1465, 20 April 2018 No. 599, 12 March 2019 No. 219.

Chapter I. General provisions

Section 1. (purpose)

The purpose of these regulations is to regulate the use of motor vehicles and aircraft on the basis of overall considerations of the public interest, including opportunities for the general public to experience the wilderness in Svalbard, and with a view to protecting Svalbard's natural environment.

Section 2. (scope)

These regulations apply to the entire land area of Svalbard and its waters out to the territorial limit.

These regulations apply to off-road motor traffic and motor traffic on ice-covered rivers, lakes and areas of sea. For hovercraft and hydrocopters, the regulations also apply to traffic in open water. Furthermore, the regulations apply to the use of aircraft for tourism purposes.

Section 3. (definitions)

For the purpose of these regulations, the following definitions apply:

- a) *permanent resident*: a person who is validly entered in Svalbard's population register;
- b) *visitor*: any person staying in Svalbard who is not a permanent resident;
- c) *motor vehicle*: engine-powered mode of transport, for use on or off road;
- d) *tracked vehicle or snowmobile*: an engine-powered vehicle fitted with tracks;
- e) *tracked vehicle*: a motor vehicle designed mainly for the carriage of passengers or goods and/or to tow another vehicle, that is fitted with tracks and may be fitted with a steering ski or steering wheel, and that has an unladen weight of more than 400 kg and a design speed of more than 30 km/h;
- f) *snowmobile*: a motor vehicle designed mainly for the carriage of passengers or goods and/or to tow another vehicle, that is fitted with tracks and may be fitted with a steering ski or steering wheel, and that has an unladen weight not exceeding 400 kg and a design speed of more than 30 km/h;
- g) *aircraft*: any engine-powered mode of transport for use in the air;
- h) *organised tours*: travel organised by a tour operator under section 3 of the Regulations of 18 October 1991 No. 671 relating to tourism and other travel in Svalbard, and that in addition is offered to the general public;
- i) *Hovercraft or hydrocopter*: a motor craft that is capable of travelling on water, snow, ice and dry land.

Section 4. (duty to exercise due care)

All motor traffic and air traffic in Svalbard shall take place in a way that does not harm, pollute or in any other way damage the natural environment or cultural heritage or result in unnecessary disturbance to humans or animals.

Chapter II. Off-road motor traffic on ground that is not snow-covered and on thawed ground

Section 5. *(prohibition against motor traffic)*

Off-road motor traffic on ground that is not snow-covered and on thawed ground is prohibited unless otherwise provided in or under the Svalbard Environmental Protection Act or these regulations.

Section 6. *(motor traffic in the land-use planning areas)*

In the land-use planning areas, necessary off-road motor traffic is permitted in connection with:

- a) the extraction of raw materials, including exploration activities, mining operations and the extraction of deposits;
- b) construction activities;
- c) the operation and maintenance of buildings and other infrastructure necessary for activities in the settlements.

In land-use planning areas with approved land-use plans, motor traffic such as is mentioned in the first paragraph is only permitted in connection with activities that are in accordance with the plan.

Chapter III. Off-road motor traffic on snow-covered and frozen ground and on ice-covered rivers, lakes and areas of sea

Section 7. *(prohibition against motor traffic)*

Off-road motor traffic on snow-covered and frozen ground and on ice-covered rivers, lakes and areas of sea is prohibited unless otherwise provided in or under the Svalbard Environmental Protection Act or these regulations.

Section 8. *(areas and trails where the use of snowmobiles and tracked vehicles is permitted)*

Permanent residents may use snowmobiles and tracked vehicles on snow-covered and frozen ground

- a) in the areas marked in yellow on the accompanying map A;
- b) in the area marked in green on the accompanying map A up to 1 March each winter (snowmobile season);
- c) along the trail shown through the area marked in green on the accompanying map A. The trail is shown as an unbroken red line on the accompanying map A, and runs along the bottom of the valley Kjellstrømdalen to the cabin Kjellstrømdalhytta, up Søre Bellsundpasset, down the glacier Passbreen and by the shortest practicable route across to Agardhdalen (Agardhsletta).

Visitors may use snowmobiles and tracked vehicles on snow-covered and frozen ground

- a) in the areas marked in yellow on the accompanying map B;
- b) in the area marked in blue on the accompanying map B along the east coast of Spitsbergen between Agardhbukta in the south and Wichebukta in the north, if they are taking part in an organised tour or are accompanying permanent residents;
- c) in the area marked in blue on the accompanying map B covering parts of the glaciers Filchnerfonna and Lomonosovfonna, if they are taking part in an organised tour or are accompanying permanent residents;
- d) in the area outside Ny-Ålesund marked in orange on the accompanying map B, if they are accompanying permanent residents of Ny-Ålesund;

- e) along the trail described in the first paragraph, c, and shown as a red line on the accompanying map B, if they are taking part in an organised tour or are accompanying permanent residents.

The areas mentioned in the first and second paragraphs also include adjacent ice-covered areas of sea, with the exception of ice-covered areas of sea between Agardhbukta and Richterfjellet, cf the first paragraph, b), where motor traffic is prohibited after 1 March. On Storfjorden between Agardhbukta and Wichebukta, motor traffic shall follow the practicable route on the sea ice that is closest to the coast.

Map A is dated Ministry of the Environment, June 2002. Map B is dated Ministry of Climate and Environment, December 2016. The original maps are available at the Office of the Governor of Svalbard, at the Norwegian Environment Agency and at the Ministry of Climate and Environment.

Section 9. *(commercial traffic)*

In these regulations, commercial traffic means traffic in connection with the purposes mentioned in section 6.

For necessary commercial traffic, tracked vehicles or snowmobiles may be used

- a) in the areas marked in yellow on the accompanying map A and on adjacent areas of sea;
- b) along the trail shown through the area marked in green on the accompanying map A. The trail is shown as a dotted red line on the accompanying map A, and runs along the bottom of the valley Reindalen from Sørhytta up to Reindalspasset, and then down along the bottom of the valley Lundstrømdalen to Kjellstrømdalen.

If weather or snow conditions make it difficult to use the areas mentioned in the second paragraph, a), an alternative trail along the bottom of the valleys Bolterdalen and Tverrdalen may be used.

Section 10. *(temporary amendments)*

The Governor may make temporary amendments to sections 8 and 9 if this is considered to be necessary to protect the fauna or natural environment otherwise, or if required for other special reasons.

Chapter IV. Use of aircraft for tourism purposes

Section 11. *(aircraft for tourism purposes)*

The use of aircraft for sightseeing is prohibited in Svalbard.

Nevertheless, the use of aircraft to fly to and from Svalbard and between the settlements in Svalbard is permitted when this takes place in the form of scheduled flights where tourists are passengers, or equivalent types of passenger transport.

Chapter V. Use of hovercraft and hydrocopters in areas of open sea

Section 12. *(hovercraft and hydrocopters in areas of open sea)*

The use of hovercraft and hydrocopters is prohibited in areas of sea that are not ice-covered and in a continuous belt stretching one nautical mile out from land.

Chapter VI. Permits for motor traffic on application, appeals, penal measures, amendments and entry into force

Section 13. (*permits on application*)

The Governor may grant exemptions from the provisions of these regulations when the purpose of the Svalbard Environmental Protection Act so requires, or for scientific purposes, work of importance to the public interest or in other special cases.

When an application for motor traffic is decided, weight shall be attached to the purpose of the application, the risk of environmental damage from the traffic in question, and the objective of limiting motor traffic in Svalbard. If a permit is issued, the grounds for the decision shall show how these factors have been evaluated.

The permit shall be limited in regard to time and place and may be restricted to apply to certain specified cases only. Conditions may be attached to the permit. The permit may be altered or withdrawn if environmental considerations so require.

Section 14. (*appeals*)

Individual decisions made by the Governor under these regulations may be appealed to the Norwegian Environment Agency in accordance with the provisions of the Public Administration Act.

Section 15. (*penal measures*)

Any person that wilfully or negligently contravenes the provisions laid down in these regulations is liable to fines or to a term of imprisonment not exceeding one year. If substantial environmental damage or a risk of such damage has been caused or if there are especially aggravating circumstances, a term of imprisonment not exceeding three years may be imposed.

An accomplice is liable to the same penalties.

Section 16. (*entry into force*)

These regulations enter into force on 1 July 2002.

Map A

To see map A click here:

Map B

To see map B click here:

Tekst fra kartene

Kart A

Areas where residents may use snowmobiles and tracked vehicles in Svalbard, see sections 8 and 9 of the regulations

Area where residents may use snowmobiles and tracked vehicles on snow-covered and frozen ground

Area where residents may use snowmobiles and tracked vehicles on snow-covered and frozen ground up to 1 March each winter (snowmobile season)

Areas where no snowmobile traffic is permitted around Longyearbyen and in the nature reserves further east

Areas where residents may apply for permits to use snowmobiles on snow-covered and frozen ground

Trail where the use of snowmobiles and tracked vehicles is permitted on snow-covered and frozen ground

Trail where necessary commercial traffic is permitted when the ground is snow-covered or frozen

Alternative trail for commercial traffic that may be used when the ground is snow-covered or frozen if weather or snow conditions make it difficult to use the area marked in yellow on the map

The areas where the use of snowmobiles and tracked vehicles is permitted on snow-covered and frozen ground also include adjacent ice-covered areas of sea, with the exception of ice-covered areas of sea between Agardhbukta and Richterfjellet, see section 8, first paragraph, b), where such traffic is prohibited after 1 March. On Storfjorden between Agardhbukta and Wichebukta, motor traffic shall follow the practicable route on the sea ice that is closest to the coast.

Kart B

Map B accompanying the Regulations relating to motor traffic in Svalbard

Areas where visitors may use snowmobiles and tracked vehicles in Svalbard, see section 8 of the regulations

Area where visitors may use snowmobiles and tracked vehicles on snow-covered and frozen ground

Areas where visitors may use snowmobiles and tracked vehicles on snow-covered and frozen ground if they are taking part in an organised tour or are accompanying permanent residents

Area where visitors may use snowmobiles and tracked vehicles on snow-covered and frozen ground if they are accompanying permanent residents of Ny-Ålesund

Area reserved for non-motor traffic. All snowmobile use is prohibited.

Trail where visitors may use snowmobiles and tracked vehicles on snow-covered and frozen ground if they are taking part in an organised tour or are accompanying permanent residents

On Storfjorden between Agardhbukta and Wichebukta, motor traffic shall follow the practicable route on the sea ice that is closest to the coast.