

**Request for Standing Committee's Consideration**

**X Agenda Item**

(Submitted to Municipal Clerk's Office by Noon at least 5 days prior to the meeting)

**Added Item**

(Submitted to Municipal Clerk's Office by Noon at least one day prior to meeting)

**Date of Meeting:** November 13, 2013  
Transportation Standing Committee meeting

**Subject:** Request for staff report – Potential changes to MVA re: use of TAC bikeway traffic control guidelines

**Motion for Consideration:**

“That the Transportation Standing Committee requests a staff report exploring possible changes to the Motor Vehicle Act regarding the use of Transportation Association of Canada bikeway traffic control guidelines and other resident concerns as outlined in the staff memorandum dated September 19, 2013.”

**Reason:**

A discussion was held at the September 19, 2013 meeting of the Active Transportation Advisory Committee, with regard to the attached staff memorandum. An extract of the draft minutes from that meeting are also attached.

The Active Transportation Advisory Committee approved a motion at that time recommending that the Transportation Standing Committee request a staff report to review resident concerns, bikeway control options and a potential request to the province for amendments to the *Motor Vehicle Act* as necessary.

**Outcome Sought:**

Staff report for further discussion by the TSC.

Councillor Jennifer Watts

District 8

**8. REPORTS**

**8.1 Staff**

**8.1.1 AT Staff**

Mr. MacIsaac then provided an update on the Windsor-Vernon-Seymour bike route, stating that the final measurements and traffic counts are being done and design work has been commissioned for the area around the former St. Patrick's high school.

Ms. Hanita Koblents, Active Transportation Coordinator provided an update on the AT Plan Review, describing the tasks completed, the remaining timeline and the high points for pedestrians, greenways, bicycle facilities and networks, and program and education evaluation. Councillor Hendsbee noted that at least 20 apps submitted to the HRM apps contest are related to active transportation. The Chair requested that staff examine those apps and bring an update to the October ATAC meeting. The Committee agreed that the AT Plan Review needs to address the definition of bicycle and cycle now that there are many possibilities, including those that use new technology for "assisted vehicles". Ms. Koblents also distributed a staff memorandum, dated September 19, 2013, that addresses potential conflicts between the Nova Scotia *Motor Vehicle Act* and the bicycle pavement markings approved by the Transportation Association of Canada.

The Committee entered into a discussion on the staff memorandum and agreed to the following motion:

**MOVED by Mr. Regan, seconded by Mr. MacGregor that the Active Transportation Advisory Committee recommend that the Transportation Standing Committee recommend a staff report to review resident concerns, bikeway control options and a potential request to the province for amendments to the *Motor Vehicle Act* as necessary. MOTION PUT AND PASSED.**

**MEMORANDUM**

TO: Active Transportation Advisory Committee  
FROM: Staff, HRM Strategic Transportation Planning  
DATE: September 19, 2013  
SUBJECT: Potential MVA conflicts relating to TAC Bikeway Traffic Control Guidelines

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An update was requested by the Chair of the Active Transportation Advisory Committee regarding the status of potential conflicts between the Nova Scotia Motor Vehicle Act and bicycle pavement markings approved for use by the Transportation Association of Canada (TAC).

TAC develops and updates national guidelines and best practices for road and road-related transportation matters. These guidelines, combined with sound engineering judgement are used in HRM when implementing bicycle-related traffic control devices like signs and pavement markings. Staff have identified a number of potential conflicts between signs and pavement markings in the national guide and the Nova Scotia Motor Vehicle Act. Note, HRM Legal Services has reviewed the potential conflicts. Below is an overview of some of the concerns.

**Elephant`s Feet Bicycle Crossing Lines**

TAC recommends these new markings be used to define a cyclist crossing area adjacent to a crosswalk, typically where a multi-use trail intersects a roadway. These marking indicate that a cyclist is permitted to use the crossing (without dismounting and becoming a pedestrian).

**Possible MVA Conflict:** The MVA does not define bicycle crossings or specifically assign right of way for bicyclists in a crosswalk. If the markings were applied under the MVA as is, would the cyclist in the bicycle crossing have right of way?

**Bicycle Boxes; Contra Flow Bicycle Lanes; and Shared Use Lanes - Single file Operation**

Bicycle boxes provide an area at the front of the traffic queue at a traffic signal for cyclists to wait and, when the signal changes to green, proceed through the intersection.

Contraflow bicycle lanes are used to facilitate two-way bicycle movement on a one way street.

Shared Use Lane markers (Sharrows) are suggested by TAC to be placed in the centre of the lane if the lane is less than 4.0m wide (such lanes are considered too narrow for side by side operation).

**Possible MVA Conflicts:** the MVA says bicyclists must ride right as far to the right side of the road as practicable. Would the use of bicycle boxes, contra flow lanes, and centre of lane sharrows encourage cyclists to violate the MVA?

### **Buses and Bike Lanes**

Parking is not allowed in bicycle lanes, but stopping or standing appears to be allowed under the MVA. Buses may be required to stand for several minutes at stops that are designated time points, or even longer at lay over points.

**Possible MVA conflict:** Are buses permitted to stand in a bicycle lane when it overlaps with a schedule time point or layover area.

### **Adult Tricycles,**

The MVA defines a bicycle as having two or four wheels.

**Potential MVA concern:** Adults, especially seniors, may use adult tricycles for added stability. Would the provisions supporting bicycles in the MVA (e.g. one meter rule, etc.) apply to tricycles?

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### **Parking Buffered Bicycle Lanes**

This treatment is not yet included in TAC but many jurisdictions are adopting the practice of locating bike lanes between the parking lane (when there is on-street parking) and the curb, rather than between the parking lane and the travel lane.

**Possible MVA conflict:** The MVA requires vehicles to park within 150mm of the curb.

### **Bicycle Signals**

This treatment is not yet suggested by TAC (although it is eminent) but the MVA does not consider bicycle signals and would require amendments before bicycle signals could be used.