



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Info Item No.2
Transportation Standing Committee
April 28, 2016

TO: Chair and Members of Transportation Standing Committee

Original Signed

SUBMITTED BY:

Bruce Zvaniga, P.Eng, Director, TPW

DATE: March 25, 2016

SUBJECT: MVA Changes for TAC Bikeway Guidelines

INFORMATION REPORT

ORIGIN

Item 8.1 of the November 13, 2013 motion of the Transportation Standing Committee "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."

LEGISLATIVE AUTHORITY

Section 321 (2) and (3) of the Halifax Regional Municipality Charter: (2) The Council may, by policy, appoint a traffic authority for all or part of the Municipality; and (3) A traffic authority has, within the Municipality, the powers of a traffic authority of a city or town pursuant to the Motor Vehicle Act, approved by the Department.

Section 89 (2) and (3) of the Nova Scotia Motor Vehicle Act: (2) The Department shall have general supervision with respect to the erection by traffic authorities of official traffic signs and signals, for the purpose of obtaining, so far as practicable, uniformity as to type and location of official traffic signs and signals throughout the Province, and no traffic authority shall place or erect any traffic signs, signals or markings unless of a type or conforming to specifications approved by the Department. (3) The Department may prescribe conditions under which a traffic control signal shall be used and when conditions have been so prescribed, it shall be an offence for the traffic authority to fail to comply with them. R.S., c. 293, s. 89.

BACKGROUND

The Transportation Association of Canada (TAC) develops national guidelines for road-related transportation matters. These guidelines, combined with engineering judgement, are used by the HRM Traffic Authority when implementing traffic control devices like signs, signals, and pavement markings.

TAC has published *Bikeway Traffic Control Guidelines for Canada (2012)* and *Traffic Signal Guidelines for Bicycles (2014)*. TAC acknowledges that some signs and markings in these guidelines may conflict with provincial legislation. A preliminary list of such potential conflicts was provided to the Active Transportation Committee on September 19, 2013 (Attachment "A").

DISCUSSION

In Nova Scotia, the NS Motor Vehicle Act (MVA) addresses on-street bicycling by considering a bicycle in substantially the same regard as a motor vehicle. This makes it legal to ride on most streets according to more or less the same rules of the road as motor vehicles.

However, most people do not feel comfortable riding a bicycle in mixed traffic. In order to encourage more people to ride a bicycle, experience from other cities has shown that particular types of infrastructure are needed. The Halifax AT Priorities Plan (recommendation #20) identifies the importance of building the types of bicycle infrastructure preferred by people who are new to bicycling so that Halifax can achieve the mode share targets in the Regional Plan.

Best practices for the engineering design of bicycle facilities are undergoing significant change in Canada. More than a decade of experimentation and research in pioneering North American cities has demonstrated that enhanced facilities can improve safety and attract more people to bicycling. In Canada, Vancouver has the densest cycling network and also the most cyclists out of a number of cities studied in a recent survey by the Pembina Institute.¹

Such facilities often require the use of supporting signs, signals and pavement markings. Some of these are recognized for use in Canada under TAC's *Bikeway Traffic Control Guidelines* and *Traffic Signal Guidelines for Bicycles* and others are forthcoming (in 2017 TAC expects to release an update to the *1999 Geometric Design Guidelines for Canadian Roads* that will contain comprehensive recommendations for the design of modern bicycle facilities). Unfortunately, local use of such facilities may be limited because their use is not specifically contemplated by the NS Motor Vehicle Act.

Since the approval of the 2014 AT Plan update, Halifax has been carrying out a number of preliminary design exercises to assess the feasibility and cost of establishing a number of the proposed bicycle facilities identified in Chapter 6 of the AT Priorities Plan, including the connections to the Macdonald Bridge Bikeway. Provided budgets are available, Halifax may be in a position to build some of these facilities by the 2017 construction season. It is also becoming apparent that some of the elements which today lack support under the Motor Vehicle Act may be needed to implement some of the proposed projects.

To allow for the timely implementation of such facilities, a letter has been forwarded to the Provincial Traffic Authority from the Halifax Traffic Authority. The letter requests consideration of enabling legislation to be introduced to support the development of various facilities to support bicycle transportation in time for Halifax to be in a position to implement such facilities by the 2017 construction season.

FINANCIAL IMPLICATIONS

There are no financial implications associated with making this request.

¹ <http://www.pembina.org/pub/cycle-cities>

COMMUNITY ENGAGEMENT

The Active Transportation Advisory Committee, which includes representation from a number of AT stakeholder groups, discussed the potential conflicts at their meeting of September 19, 2013 and requested consideration of the matter by the Transportation Standing Committee.

ATTACHMENTS

Attachment "A": September 19, 2013 memo to Active Transportation Advisory Committee

A copy of this report can be obtained online at <http://www.halifax.ca/commcour/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Hanita Kojents, Active Transportation Coordinator, 902-490-8474

Original Signed 

Report Approved by: 
David MacIsaac, Active Transportation Supervisor 902.490.1665

Original Signed

Report Approved by: David Hubley, P.Eng., Manager, Project Planning & Design, 902.490.4845

Original Signed

Report Approved by: 
Taso Koutroulakis, P.Eng., Manager, Traffic Management, 902.490.4816

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

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. 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 markings 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.

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.

PLANNING & INFRASTRUCTURE

Strategic Transportation Planning

Tel: (902) 490-8474 Fax: (902) 490-6727
E-mail: koblenh@halifax.ca Web Site: www.halifax.ca