

# Proposed Bill

## M-17 Motor Vehicle Act revisions

---





This amends the Motor Vehicle Act by;

- a) adding rules respecting bicycle lanes
- b) requiring motorists to leave at least one metre of space between their vehicle and a bicycle it is passing
- c) expanding the description of a bicycle to include other similar human powered vehicles
- d) adding specific rules regarding bicycles on sidewalks
- e) replacing rules regarding cycling on the extreme right
- f) allowing local authorities to designate sidewalks as trails and regulate the use of bicycles there on

## Definitions

### Existing paragraph to be repealed

“bicycle” means every device propelled by human power upon which any person may ride, having two tandem wheels;(bicyclette)

### Repealed paragraph substituted by

“bicycle” means every human powered vehicle having two, three, or four wheels with its design and propulsion basis similar to a typical bicycle utilizing a pedal type system to initiate vehicle movement including electric motor assisted; (bicyclette)

### Add paragraphs

“bicycle lane” means a marked restricted lane on a roadway designated by signage for use by cyclists; ( )

“cyclist” means any person riding a bicycle; ( )

## Powers of local authorities

### Add subsection

113(1) (j) designate a sidewalk or any portion thereof as a trail; and

(j.1) authorize and regulate the use of bicycles on such trails, and, for greater certainty, a sidewalk so designated is subject to all other provisions of this Act

## Rules of the road

### Add subsections

149 (3) A driver of a motor vehicle shall not pass a bicycle travelling in the same direction as the motor vehicle that is being ridden to the far right of the driver of the motor vehicle on the roadway, on the shoulder or in an adjacent bicycle lane unless

- (a) there is sufficient space to do so safely; and
- (b) the driver leaves at least one metre open space between the vehicle and the cyclist.

152(4) The driver of a motor vehicle may cross a line to pass a bicycle in accordance with subsection 149(3) if the driver can do so safely.

156.2 The driver of a motor vehicle shall not operate the vehicle in a bicycle lane unless

- (a) it is necessary to do so to go around a vehicle or a bicycle in front of the driver's vehicle that has signalled its intention to turn left;
- (b) it is necessary to do so to complete a lawful manoeuvre;
- (c) the driver has encountered a condition on the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal or surface hazard that makes it impracticable not to do so
- (d) and in all situations (a) (b) or (c) the driver yields the right of way to any cyclist lawfully in the bicycle lane.

## Bicycles

### Existing paragraph to be repealed

179(1) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

### Repealed paragraph substituted by

179(1) A cyclist who is not riding in a bicycle lane shall ride as far to the right side of the roadway as practicable or on the paved right-hand shoulder of the roadway unless the cyclist is

- (a) in the process of making a left turn in the same manner as a driver of a motor vehicle,
- (b) travelling in a rotary or roundabout,
- (c) passing a vehicle on the vehicle's left, or
- (d) encountering a condition on the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal or surface hazard that prevents the person from safely riding to the right side of the roadway;

## Existing subsection to be repealed

179(2) Persons riding bicycles upon a roadway shall not ride abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

## Repealed subsection substituted by

179(2) Except when passing, cyclists on a roadway shall ride in single file.

## Existing subsection to be repealed without replacement

179(3) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

## Add subsections

179(4) No person shall ride a bicycle on a sidewalk except those sidewalks designated by local authorities under section 113 (1) (j) (j.1)

179(5) Where a roadway has a bicycle lane for bicycles travelling in the same direction that a cyclist is travelling, the cyclist shall ride in the bicycle lane unless it is impracticable to do so including but not limited conditions listed in subsection 179(1).

179(6) A cyclist on a highway shall ride in the same direction as the flow of traffic.

## Parking Rules

### Add subsection

193(1)(o) in a bicycle lane

