

Proposed Legislative Amendments to The Traffic Safety Act – August 2021

ISSUE

In an effort to increase the convenience and safety of active modes of transportation and position them to become more appealing and desirable transportation choices, the Administration would like to lobby Saskatchewan Government Insurance (SGI), as the administrator of *The Traffic Safety Act*, (*the Act*) to amend *the Act* as it pertains to pedestrian and cyclist operations.

RECOMMENDATION

That the Standing Policy Committee on Transportation recommend:

1. That City Council endorse and direct the Administration to lobby Saskatchewan Government Insurance to amend *The Traffic Safety Act* to incorporate the following:
 - a) Require drivers to yield to pedestrians that are indicating an intention to cross the street at legal crossings;
 - b) Permit cyclists to use their right arm to indicate a right turn; and
 - c) Permit cyclists to ride their bicycle when a cross-ride is provided at legal crossings.

BACKGROUND

The Administration is recommending amendments to *The Traffic Safety Act* (*the Act*) to support and enhance pedestrian and cyclist convenience and safety. As outlined in clause 8(1)(f) of *The Cities Act*, the City is subject to the regulations provided in *the Act* as they pertain to vehicles and pedestrians. Therefore, the City of Saskatoon cannot introduce any bylaws or regulations that conflict with the provisions in *the Act*.

The Administration would like to approach SGI to discuss changes to *the Act* as it pertains to pedestrian intent to cross the street at legal crossings, cyclists signaling a right turn, and cross-rides for cyclists at legal crossings.

DISCUSSION/ANALYSIS

Pedestrians - Indicating Intent to Cross the Street at Legal Crossings

Under current legislation, pedestrians must be in the act of crossing the street at a legal crossing before drivers are legally required to yield the right of way. Section 223(1)(b) of *the Act* states, “A driver of a vehicle on a highway within a hamlet or any municipality other than a rural municipality or the prescribed part of a municipal district shall stop the vehicle and yield the right of way to the pedestrian if...(b) the pedestrian is crossing the highway”.

While many drivers often stop for pedestrians waiting at a crossing, the language within *the Act* specifies they do not have to do so until the pedestrian is on the road.

To improve pedestrian safety, the Administration recommends approaching SGI to allow for a provision within *the Act* that requires drivers to yield to pedestrians indicating their intent to cross the street at a legal crossing. Appendix 1 provides an example of a pedestrian pointing to the crosswalk to indicate their intent to cross.

Cyclists - Extend Right Arm to Signal Right Turn

Under current legislation, section 234 of *the Act* specifies that if a vehicle is not required to be equipped with a prescribed signaling device, such as a bicycle, the cyclist must indicate their intention to turn right by extending the left arm from the shoulder to the elbow horizontally and from the elbow to the hand vertically upwards. As there is no provision in *the Act* for use of the right arm, the action is not recognized as a signal intention.

During the engagement process for the Bicycle Bylaw, the desire to permit cyclists to use their right arm to signal right turns was raised and supported. However, as it contravenes *the Act* it could not be included in the Bicycle Bylaw. Appendix 2 provides an example of cyclist signaling a right turn.

The Administration recommends approaching SGI to allow for a provision within *the Act* to permit cyclists to use their right arm to signal a right turn.

Cyclists - Cross-rides at Legal Crossings

Under current legislation, people approaching an intersection or midblock crossing while riding their bikes on a shared-use pathway or raised cycle track must dismount their bicycle and cross as a pedestrian. Requiring cyclists to dismount at every intersection or midblock crossing can be inconvenient. Many people do not dismount their bicycle, choosing instead to cycle through the intersection or midblock crossing, which is currently illegal under *the Act*. Examples of these crossings are shown in Appendix 3.

A cross-ride is a dedicated space at an intersection or midblock crossing, identified by unique pavement markings and signs, for cyclists to legally ride their bicycle through an intersection without dismounting. A cross-ride may appear alongside a pedestrian crosswalk as a separate facility or may be combined with a crosswalk to save space in some areas. Cross-rides are often accompanied by signage to alert users that cyclists may be crossing the intersection. Examples of various cross-ride applications are shown in Appendix 4.

While cross-rides improve cyclist mobility, their application requires careful consideration to avoid compromising cyclist and pedestrian safety. The Transportation Association of Canada (TAC) recommends that cross-rides be used to define a cyclist crossing area at intersections or midblock, typically at a multi-use path crossing. Cross-rides accommodate a larger variety of users and help inform drivers that the crossings will include more than just pedestrians. The National Association of City Transportation Officials (NACTO) outlines the benefits of intersection markings such as cross-rides:

- Raises awareness for both cyclists and motorists of potential conflict areas.
- Reinforces through cyclists have priority over-turning vehicles or vehicles entering the roadway (from driveways or cross streets).
- Guides cyclists through the intersection in a straight and direct path.
- Reduces cyclist stress by delineating the bicycling zone.
- Makes cyclist movements more predictable.
- Increases the visibility of cyclists.
- Reduces conflicts between cyclists and turning motorists.

Currently, there is no provision within *the Act* that allows people to remain on their bicycle when riding through an intersection, unless that cyclist is operating in the travel lane (not on a shared-use pathway or raised cycle track).

Cross-rides have previously been installed in Saskatoon. However, upon reviewing the relevant legislation, the Administration has determined that cross-rides will no longer be installed until legally permitted.

The Administration recommends approaching SGI to allow for a provision within *the Act* that allows people to remain on their bicycle when cross-ride pavement markings and associated signage are provided.

Jurisdictional Scan

The Administration conducted a jurisdictional scan of current legislation in other Canadian communities on these three matters. A summary of the findings can be found in Appendix 5.

Saskatchewan Urban Municipalities

The Administration reached out to 12 cities in Saskatchewan to gauge their interest in making these changes and lobbying SGI. Out of the 12 cities contacted, Regina and Melville have indicated their support to work with the City to lobby SGI. Two other municipalities responded that they were not opposed to the changes but were not interested in pursuing at this time. The remaining eight municipalities did not respond to the inquiry.

OTHER IMPLICATIONS

The Act requires amendments to permit the changes discussed within this report. Should SGI support the changes to permit cyclists to use their right arm to signal a right-turn, the Bicycle Bylaw would be amended to include this provision.

There are no financial implications for lobbying SGI on the changes. The privacy, social, and environmental implications have not been assessed at this time.

NEXT STEPS

1. If approved by City Council, approach SGI to amend *the Act* as it pertains to pedestrian and cyclist operations as outlined in this report.
2. Report back to City Council on the results of the discussion with SGI.
3. Should the amendments be approved, take appropriate action regarding the implementation of the pedestrian and cyclist operations as outlined in this report.

APPENDICES

1. Example of Pedestrian Signaling Intent to Cross the Street at Legal Crossing
2. Example of Right Turn Signal with Right Arm
3. Examples of Crossings Where Cyclists Must Dismount
4. Examples of Cross-rides
5. Jurisdictional Scan

Report Approval

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