


Time to Modernize the Motor Vehicle Act

Presented by





Why Modernize the Motor Vehicle Act (MVA)

- Oldest MVA in the country
- All Eastern Canadian provinces have recently modernized their MVA with regard to cycling safety, except New Brunswick
- Our group has done the heavy lifting! We have reviewed these laws in other jurisdictions to create a white paper with recommended amendments
- Below is a sample. The full white paper is available online [here](#)

A cyclist in a blue shirt and helmet is riding on a road. In the background, there are several cars parked or moving slowly. The scene is outdoors with a clear sky and a grassy area in the foreground.

If a cyclist is in a bike lane,
should a car provide 1-metre?

Answer:

Trick question. Neither cyclist nor bike lane are defined in New Brunswick Legislation. Therefore, different law enforcement have provided us with different answers.

Recommendation: Update Ellen's Law

- While a progressive step forward, it lacks clarity making it difficult to educate and enforce.
 - Increase to 1.5m when the posted speed limit is 60 km/h and above.
 - This is the law in 3 Provinces, 26 US States, and 8 other countries
 - New Brunswick is predominantly a rural province with higher speed limits and no bike lanes. Clarifying Ellen's Law is a cost effective strategy to make roads safer for everyone
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- A photograph of two cyclists riding on a road. The cyclist in the foreground is wearing a blue long-sleeved shirt and a red and white helmet. The cyclist in the background is wearing an orange shirt and a black helmet. They are riding on a paved road with a yellow double line. In the background, there is a line of cars parked along the side of the road, and a street lamp is visible. The overall scene is slightly dim, suggesting an overcast day.

Recommendation: Modernize Definitions

Current MVA

- **Bicycle.....only two wheelers**
- **Bike lane.....does not exist**
- **Cyclist.....does not exist**
- **Sharrows.....does not exist**

Why new definitions are necessary

- Can't educate and enforce safety without well defined rules of the road
- Recognize and protect other forms of cycling such as rickshaw and recumbent bikes
- Cut red tape for road designers & engineers



Saint John Example

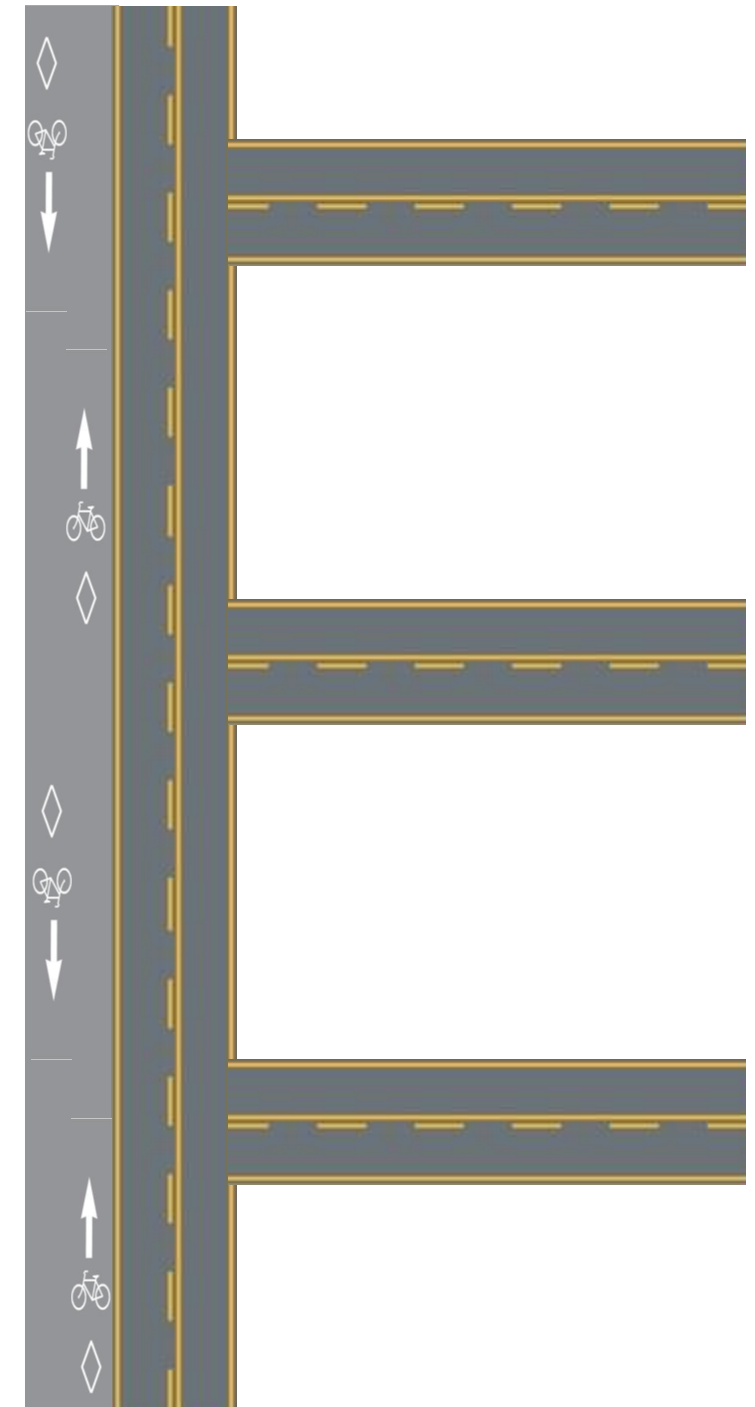
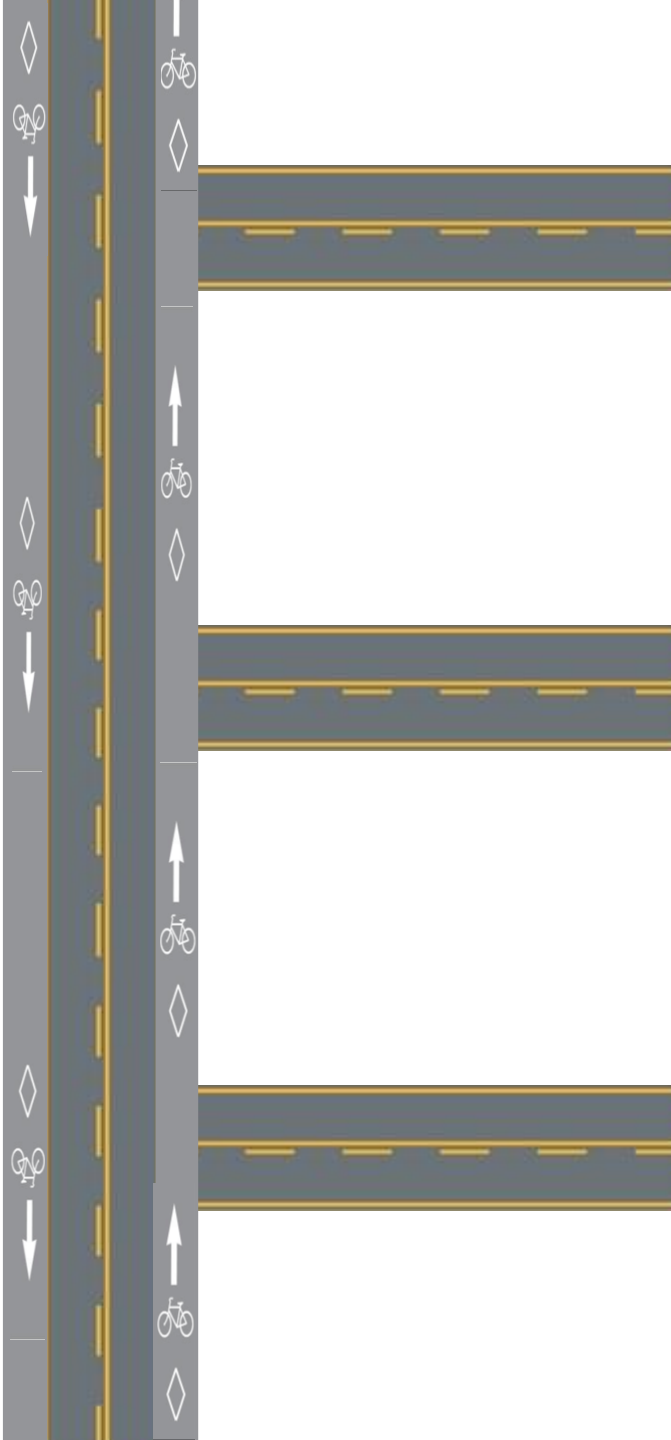
One-Way Bike Lane Design

Two-Way Bike Lane Design

Most accidents involving cyclists and pedestrians occur at intersections. In this example, a two-way bike lane is safer, avoiding three intersections.

In 2011, the New Brunswick Department of Transportation denied a two-way bike lane on Main Street proposed by Saint John's traffic engineer, citing section 179(1) as the reason:

"Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable ..."



Outcomes from Modernizing the MVA

- Promotes New Brunswick as a bike friendly tourism destination
- Provides New Brunswickers with a healthy and safe community for all ages
- Reduces healthcare costs
- Cuts red tape for bike infrastructure projects allowing safer, more cost effective designs
- A working group of senior public servants in 2017-2018, including former a Police Chief and Deputy AG, have vetted the whitepaper
- Unlike infrastructure, it costs nothing and makes roads safer for everyone: bikes, cars, pedestrians, wheelchairs, children

