



Priority Inclusions for TSA Regulations

Please accept this joint submission from five Nova Scotia groups all concerned with road safety and particularly the most vulnerable people on our streets. The groups are: Halifax Cycling Coalition, Walk 'n Roll Halifax, Canadian Association of Physicians for the Environment Nova Scotia Chapter, Cycling Nova Scotia, and Ecology Action Centre.

We ask for your consideration in adopting the following recommendations for inclusion in the regulations to accompany the new Traffic Safety Act. We very much look forward to meeting to discuss this input as well as other questions that may arise.

A. Protected Users and Road Access

Why this matters: Clarifies who is protected under the regulations and where they are lawfully entitled to be, reducing ambiguity that commonly leads to misattribution of fault and inconsistent enforcement.

1. Definition of Vulnerable Road User

"Vulnerable road user" means any person using road infrastructure who lacks the physical protection, mass, or velocity of a motorized vehicle. Vulnerable road users exist on a hierarchy; the most vulnerable are people walking and rolling (with

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strollers, in wheelchairs, etc) particularly those who are blind or partially sighted, seniors, people under the age of 18 and those with mobility challenges, and including road workers, crossing guards, people waiting for, entering or exiting buses, pregnant people; followed by people on bicycles, mobility aids, and other micro mobility users; then motorcyclists.

2. Definition of Bicycle

A bicycle is a conveyance propelled primarily by human power with fully operable pedals upon which or in which a person may ride and that has at least one wheel which is 350 millimetres or more in diameter and that may have an attached motor driven by electricity not producing more than 500 watts continuous output and incapable of providing further assistance when the conveyance attains a speed of thirty-two kilometres per hour.

Unless otherwise indicated explicitly, a person operating a bicycle or power-assisted bicycle on a highway has the same rights and duties as a driver of a motor vehicle.

3. Micromobility Devices in Bike Lanes

Micromobility refers to a range of small, lightweight vehicles or conveyances operating at speeds below 32 km/h. Micromobility devices include skateboards, longboards, rollerblades, scooters, e-scooters, bicycles, pedal assisted bicycles, etc.



All micromobility devices should be permitted for use in bike lanes because they travel at similar speeds. Vehicles and conveyances that travel at higher speeds such as e-motorcycles and e-scooters that are not speed -limited should be explicitly excluded.

4. People cycling not obliged to use bike lane

From time to time, conditions in bike lanes are unsafe due to physical obstacles in the bike lane; snow and/or ice coverage; and excessive gravel or leaves. Sometimes, a person cycling may need to use the general traffic lane to perform a particular traffic manoeuvre, such as turning left, or turning into a driveway. The regulations should recognize such cases by acknowledging the right of a person cycling to use the general traffic lane regardless of whether a bike lane is provided or not.

5. Bicycle may use the full lane when necessary

A person cycling should be allowed use of the full lane whenever necessary to ensure their own safety. Examples include: making a left turn in the same manner as a driver of a motor vehicle; when passing a vehicle on the vehicle's left; when the road is too narrow to allow vehicles to safely pass on the left; when encountering a condition on the roadway, including a fixed or moving object, parked or moving vehicle, person, animal or surface hazard that prevents the rider from safely riding on the right side of the roadway or when indicated with signage.



In rotaries, roundabouts, and LSBs, riders may take the entire lane, and vehicles must remain in single file behind a bicycle or micromobility device.

B. Operational Safety Rules

Why this matters: Reduces predictable conflict points between motor vehicles and vulnerable road users through clear, uniform rules of conduct, intersection design, and temporary traffic conditions.

6. Inclusion of “Dooring” as a Serious Offence

Opening a door into the path of a bicycle (“dooring”) should be made a serious offence due to the high risk of serious injury or death of the rider. When this behaviour results in contact between a bicycle and a car, it should furthermore be considered a collision between two vehicles and be reported as other collisions.

7. Safe Passing Distance: minimum distance for motor vehicles passing bicycles

Increasing the minimum separation distance that motorists must maintain while passing people cycling on high-speed roads will make people cycling safer and more comfortable. We recommend that the passing distance be increased to 1.5 m on roads with speeds of 50 km/h or more when a person driving is passing a person cycling. There is precedent for this in Quebec and BC, where the law requires drivers



to leave 1.5 m of space between their vehicle and a person cycling on roads with posted speeds of 50 km/h or more. Drivers must wait until they can safely pass allowing the prescribed distance.

8. Turn restrictions near vulnerable road users

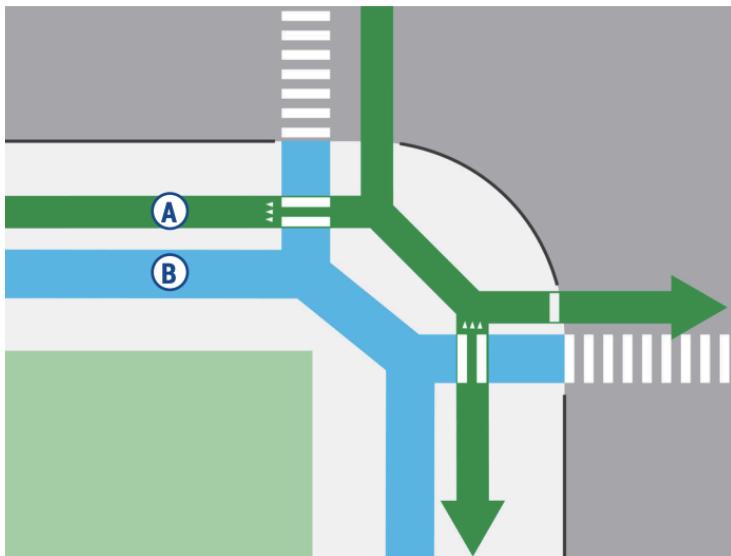
Require left- and right-turning motor vehicles to yield to through-moving bicycles whether bike lanes are present or not. The regulations should spell out that drivers must check their right mirror and their blindspot and yield to bicycles before initiating a right-hand turn across a bike lane (avoiding a "right hook"). They should, of course, also yield to people walking or rolling in the crosswalk. Left-turning vehicles must exercise caution including checking the area blocked by their A-pillar (the sloped pillar to the left of driver) and yield to bicycles travelling straight through the intersection. Where a bicycle lane is marked, bicycles shall have right of way over motor vehicles entering, turning or crossing that lane. This includes 'Right Hook Collisions' where a driver of a motor vehicle overtakes or drives beside a bicycle and then turns right across the path of that bicycle, without yielding the right of way.

9. Crossrides

A crossride permits people cycling to stay on their bikes while crossing through intersections. They may be located where multi-use pathways or bike lanes cross a road. Crossrides should be recognized to allow municipalities to install them to



support safe and convenient cycling, especially for people with disabilities who cannot dismount from their bike. The distinctive marking of a crossride maintains separation from the often parallel crosswalk. At intersections, locating the crossride on the traffic side of the crosswalk provides further protection for people walking and is also compatible with protected bicycle lanes that may be present or added in the future. This configuration is shown in the following illustration:



Credit: [City of Ottawa Protected Intersection Design Guide](#)

We recommend that a provincial design standard be adopted for crossrides.

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Rectangular Rapidly Flashing Beacons (RRFBs) are often used at crosswalks and they should be valid for cross-rides. This will not only improve safety and convenience, but will also save millions of dollars as, at present, the only legal and safe crossing of busy roads for bicycles is a full- or half-signal. RRFBs can be installed at a small fraction of the cost.

10. Expand the Use of Leading Pedestrian Interval (LPI)

Leading Pedestrian Interval (LPI) is used at signalized intersections to allow people walking or rolling to enter the intersection in advance of traffic. LPI should always be combined with no-right-turn-on-red to significantly improve safety. All vulnerable road users should be allowed to proceed straight on an LPI to gain the same safety advantage. Right-turning bicycles and micromobility devices should yield to people in the crosswalk. This measure will also save millions of dollars as without it, municipalities have to install expensive dedicated bicycle signals for the same effect.

11. Trails and multi-use paths crossing roads

People walking, rolling, and cycling should have the right of way when an active transportation trail crosses a road. Trail crossings should be treated like crossrides, where people walking and rolling have the right of way automatically whether the crossing is marked or not. All trail users using any mode of transportation should have the right of way, and if they are cycling or using another micromobility device



they should not be required to dismount to cross the road. All trail users should proceed with caution – they should not enter the crossing into the path of a vehicle that is so closely approaching that it is impractical for the driver of the vehicle to stop. Adding marked crossrides at these locations will further disambiguate where people walking or cycling should be to avoid conflict.

12. Passing on the Right:

A person riding a bicycle or operator of a micromobility device, operating on the far right side or the right-hand shoulder of the roadway may pass to the right of the overtaken vehicle if it is safe to do so.

13. Bicycle Lanes and Motor Vehicles:

Motor vehicles shall not be allowed to drive, stop, or park in a bicycle lane, with the exception of emergency services vehicles responding to an emergency services call.

The driver of a vehicle shall not operate the vehicle in a bicycle lane unless it is necessary to do so to go around a left-turning vehicle or a conveyance; or it is necessary to do so to complete a lawful manoeuvre; or the driver has encountered a condition on the roadway, including a fixed or moving object, parked or moving vehicle, person, animal or surface hazard that makes it impracticable not to do so. In all cases, vehicles shall yield the right of way to any bicycle in the bicycle lane.



14. Stop as Yield (SAY)

Stop as Yield is a regulation that allows people cycling to treat a stop sign as a yield sign and a red light as a stop sign. Where adopted (at least 8 states), SAY laws are associated with reduced crash rates (see <https://rosap.ntl.bts.gov/view/dot/78925>).

Treating stop signs as yield is a very clear safety enhancement and would not only make it easier to cycle, but would allow intersections to clear faster resulting in better safety and improved overall traffic flow.

We invite further discussion and public engagement on treating a red light as a stop sign.

15. No Right Turn on Red

No motorised vehicle should be able to turn right when the stop light is red. This will be a significant safety enhancement for vulnerable road users. We invite discussion and public engagement on whether this should be implemented province-wide or whether municipalities should be able to implement the rule throughout the municipality.



16. Construction Mitigation

Where construction (building or significantly renovating or rehabilitating public or private infrastructure on or near a road) causes the closure or interruption of normal operations of a sidewalk or designated bike lane, the organization carrying out the construction, maintenance or repair must provide a dedicated physically protected bike lane and sidewalk detour on the same side of the street. This issue is covered in the provincial [Traffic Control Manual](#) but more attention to the specific needs of vulnerable road users is required.

C. Accountability, Liability & Evidence

Why this matters: Ensures that safety obligations carry meaningful legal consequences and that collisions involving vulnerable road users are consistently investigated, properly attributed, and systematically analyzed to inform future safety improvements.

17. Reverse onus for collisions with Vulnerable Road Users

When a vulnerable road user, including a person on a bicycle, is injured "by reason of a motor vehicle on a highway," in motion or otherwise, the onus of proof that the loss or damage did not arise through the negligence or improper conduct of the vehicle driver should be placed on the driver and not the injured party.



Reverse onus should be combined with strict liability. Strict liability is a means to protect more vulnerable road users from financial damage caused by drivers of motorized vehicles. Due to the differences between motorized and non-motorized road users, the latter will suffer more and more severe damages and/or injuries when both are involved in a collision. Strict liability shifts the costs of collisions to vehicle drivers.

Vehicle drivers rarely face consequences after a collision with a vulnerable road user. After hitting a person cycling, drivers often use the defence that they did not see the bicycle. Since a vulnerable road user usually sustains much more grievous injuries than a driver, they often cannot speak on their own behalf. Even when a collision is the fault of the driver, and the collision results in the death of a person cycling, the driver is rarely held liable. To remedy this, strict liability for vehicle drivers who collide with a vulnerable road user should be included.

18. Collection and reporting of data

It is vital that all offences that injure or kill vulnerable road users be tracked as a mandatory requirement for police forces and that the data be publicly reported annually to the province and each municipality.

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D. Education

19. Education and public awareness

When enacted, an extensive public education campaign should be mounted to inform the public on the new rules of the road. As well, Driver's License renewal applicants should have to read a summary of the new rules that give more rights to micromobility users, and click, "yes I understand"? Additionally, they should acknowledge all the basic crosswalk rules in Nova Scotia and the rights and responsibilities of people cycling, particularly their right to "take the lane" when they perceive that their safety requires it.

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