

# Modernizing the BC Motor Vehicle Act

Recommendations to Improve Safety & Equity, and Get More People Taking Active and Healthy Transportation in BC

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## Executive Summary

HUB Cycling collaborates with the BC Cycling Coalition and other advocates to improve legislation to better protect vulnerable road users. We support the BC Government's "Vision Zero" plan to make BC's roads the safest in North America and eliminate road-related injuries and deaths. We also support the BC Government's CleanBC targets that aim to get more people walking, cycling and rolling - and reduce motor vehicle kilometres traveled by 25% by 2030.

We seek to make our roads safer for vulnerable road users—including people walking, cycling and rolling. We advocate for safer infrastructure as well as evidence-based reforms to the Motor Vehicle Act (MVA). We support reforms that prioritize safety and equity, and encourage automated enforcement of road infractions. We also advocate for reforms that will increase the use of bikes for transportation. "Safety in Numbers" is a well established phenomenon in cycling safety: when more people cycle in a city, injury rates decrease.

Since 2016, we have made several recommendations to the BC Government. In spring 2023, the BC Government passed Bill 23 addressing some of these recommendations, including adding a vulnerable road user definition, a safe passing distance, and stronger penalties for unsafe behaviour around vulnerable road users. Bill 23 is a first step to reforming the outdated Motor Vehicle Act. However, there is still much more work to be done. We have identified 25 further recommendations for changes to British Columbia's traffic legislation.

To achieve the safest roads in North America, BC will need to invest substantially more in safe infrastructure - and update its laws. Larger and heavier vehicles are more prevalent on our roads, further putting people walking, cycling and rolling at risk. We hope the Province will take the steps necessary for us to truly reach Vision Zero, and reach our sustainable mode-share targets.

## Recommendations List

The following recommendations have been given an ***estimated*** score based on their ability to improve safety and equity - and encourage people to choose cycling as a form of transportation. The estimated scoring is meant to help show which recommendations the Province of BC should prioritize. The first eleven recommendations are described in more detail below the table.

Description	Protect vulnerable road users (1-5)	Encourage more cycling (1-5)	Improve equity (1-5)	Score
1. The MVA should be amended to add a default provincial speed limit of 30 km/hour for local (no center line) streets	5	5	3	<b>13</b>
2. The MVA should be amended to disallow right turns at red lights for motor vehicles as a default across the Province, with people cycling exempt	5	4	3	<b>12</b>
3. The MVA should be amended to welcome people who use wheelchairs and mobility scooters on cycling routes	5	1	5	<b>11</b>
4. The MVA should be amended to allow small children traveling at walking speed to use active transportation devices on sidewalks	4	3	3	<b>10</b>
5. The MVA should be amended to provide that a driver of a vehicle must not cause or permit the vehicle to follow a vulnerable road user more closely than 3 seconds behind	4	3	3	<b>10</b>
6. Sections 153.1 and 153.2 of the MVA and Schedule 3 of the Violation Ticket Administration and Fines regulation should be amended to provide a fine for blocking active transportation or transit lanes, and automated enforcement should be permitted.	5	2	3	<b>10</b>
7. The MVA should be amended to allow people cycling and using other micro-mobility devices to use the pedestrian phase signal timing during Leading Pedestrian Intervals when there is no separate cycle signal.	4	3	3	<b>10</b>
8. The MVA should be amended to remove the mandatory bike helmet law.	1	4	5	<b>10</b>

Description	Protect vulnerable road users (1-5)	Encourage more cycling (1-5)	Improve equity (1-5)	Score
9. The MVA should be amended so that “elephant's feet” or “cross rides” become a provincial standard, removing the current requirement that municipalities pass additional bylaws allowing cycling in crosswalks with “elephant’s feet”, with motorists required to yield to cyclists	4	3	3	10
10. The MVA be amended to expand the use of GPS Aware speed limiters	4	4	2	10
11. The MVA should be amended to introduce a stop sign as yield law for people cycling	2	2	5	9
12. Section 158 of the MVA should be amended to allow people cycling and using wheelchairs or mobility scooters to pass on the right side of motor vehicles on any shoulder or bikeway	1	3	5	9
13. The MVA should be amended to reduce the threshold (number of penalty points) before a driver’s licence is suspended, increase the duration of suspensions, and implement driving prohibitions after multiple offences. Fines should be increased for drivers of large SUVs and pick-up trucks over a specific weight, given their increased risk to vulnerable road users. Mandatory licence retraining and retesting should be more commonplace.	4	3	2	9
14. Sections 183(3) and 183(4) of the MVA should be amended to allow bicycles in bus lanes eg: “For purposes of 2(c), where a bus lane forms the rightmost lane on a highway, a cyclist shall ride as near as practicable to the right side of the bus lane”	4	2	3	9
15. Subsection 183(17) of the MVA should be amended to provide that the duty to signal applies only where traffic may be affected, to expand the manner in which cyclists may signal a turn, to repeal the requirement to signal a reduction in speed and provide an exception to the requirement to signal where signaling is unsafe	4	0	2	6

Description	Protect vulnerable road users (1-5)	Encourage more cycling (1-5)	Improve equity (1-5)	Score
16. Subsection 150(3) of the MVA should be amended to define what constitutes a rotary traffic island/roundabout/traffic circle and clarify the rules.	2	2	1	5
17. Paragraph 183(2)(d) be amended to permit cycles to be operated side-by-side when safe to do so	2	2	1	5
18. The MVA should be amended to require side guards on heavy trucks	4	0	1	5
19. Sections 165, 166 and 167 of the MVA should be amended to provide that a motor vehicle must yield to a through-moving cycle operating legally	2	1	1	4
20. The MVA safe passing distance regulations should be updated to specify that a motor vehicle operator must leave 1.5m under 50 km/hour	2	1	1	4
21. Section 183(2)(c) of the MVA should be amended to clarify that a cyclist shall ride as near as is safe to the right side of the right-most through-lane	1	1	2	4
22. Amend s. 157 (2) of the MVA to exempt cyclists from a duty to give way to the right when a vehicle seeking to overtake the cyclist sounds its horn.	0	2	2	4
23. Subsection 185(7) of the MVA be added to require motor vehicles to give cyclists space to safely cross streetcar, railway tracks or cattle guards	2	0	0	2
24. The name of the legislation should be made neutral as between different classes of road users (i.e. Road Safety Act)	1	0	0	1
25. Section 183 be amended to introduce a new subsection permitting the operator of a cycle to proceed beyond a stop line or to proceed onto a sidewalk to operate a cyclist or pedestrian controlled traffic signal	0	0	1	1

## Priority Recommendations

### 1. The MVA should be amended to add a default provincial speed limit of 30 km/hour for local (no center line) streets

#### Rationale

Setting default neighbourhood speed limits at 30 km/hour for local streets in the BC Motor Vehicle Act will dramatically improve safety in our communities. It is widely recommended by health agencies, including the World Health Organization and BC's Provincial Health Officer.

We are recommending a Safe Speeds Law that would require all vehicles to travel at a maximum 30 km/hour on neighbourhood streets (streets without a centre line) as the default speed limit. Exceptions would need to be specified with a sign on each block.



#### Evidence & Related Information

[A 2024 review of 40 European cities](#) indicated that reductions in speed limits significantly improved road safety. On average, the implementation of 30 km/h speed limits in European cities demonstrated a 23%, 37%, and 38% reduction in road crashes, fatalities, and injuries, respectively. Lower speed limits also yielded environmental benefits, with emissions decreasing on average by 18%, and reduced noise pollution. See Yannis, G.; Michelaraki, E. Review of City-Wide 30 km/h Speed Limit Benefits in Europe. Sustainability 2024, 16, 4382. <https://doi.org/10.3390/su16114382>

See additional research: Elvik, Annual Review of Public Health, 2012; 33:225-38 and Fridman, Ling, Rothman, Cloutier, Macarthur, Hagel & Howard, BMC Public Health 2020; 20:56

## **2. The MVA should be amended to disallow right turns at red lights for motor vehicles as a default across the Province, with people cycling exempt**

### **Rationale**

It's time to make our intersections safer. By restricting drivers from turning right on red lights, we can improve safety for vulnerable road users like people walking, rolling, scooting and using wheelchairs. Without such protections, allowing right turn on red lights creates conflict between people driving, walking and cycling and increases the chances of collision. Allowing right turns on red is particularly dangerous for children.

Turning right on red lights was not always permitted in British Columbia under the Motor Vehicle Act. Prohibitions on right turns on red lights exist in many countries, as well as the entire island of Montreal, and have been proven to enhance safety at intersections for drivers and vulnerable road users by reducing conflicts with right-turning vehicles. Moreover, since motor vehicles have grown in size over the last decade, prohibiting right turns on red is needed more than ever.

Please note that any prohibition of right turns on red should provide an exemption for people on bicycles, as they do not pose the same risk as motor vehicles do. The Province might consider piloting right turn on red prohibitions in communities with high crash rates, like Metro Vancouver.

According to ICBC, approximately 60% of crashes occur at intersections - prohibiting right turns on red is one more way alongside a host of other measures that can reduce injuries and fatalities and work towards Vision Zero.

### **Evidence & Related Information**

Numerous studies have demonstrated that prohibiting right turns on red lights can decrease the number of crashes, and reduce injuries to people walking, rolling and cycling. There is consistent evidence that allowing right turns on red increases the risk for people biking and walking. See: C Dussault, Safety Effects of Right Turn on Red: A Meta-Analysis, Proceedings of the Canadian Multidisciplinary Road Safety Conference VIII, 1993

### **3. The MVA should be amended to welcome people who use wheelchairs and mobility scooters on cycling routes.**

#### **Rationale**

Wheelchair and mobility scooter users often find sidewalks difficult and dangerous to navigate due to uneven surfaces and numerous obstacles. For instance, people with lived experience like BC resident Peter Foran, a motorized wheelchair user, prefer bike lanes as they are smoother and safer, preventing accidents like the one that led to his hip fracture on an uneven sidewalk.

Including wheelchairs and mobility scooters in bike lanes and on traffic-calmed bike routes aligns with efforts to reduce car traffic by 25% by 2030, a key target in B.C.'s climate action plan. By providing safe and efficient transportation alternatives, more people can live without relying on cars, thus contributing to climate goals. It would also remove an arbitrary barrier to the “full and equal participation in society” of people with disabilities, as the [Accessible BC Act](#) and related policies demand.

On March 13, 2024 a resolution was passed by the Capital Regionl District to advocate to the BC government to consider amending the MVA to allow electric wheelchairs, mobility scooters, and micro-mobility devices, to operate in a safe manner in designated bike lanes and/or routes. Quebec allowed wheelchairs and mobility scooters on bike and roll routes and lower speed streets as a pilot project in 2015, and made the change permanent in 2020. Multiple US and European jurisdictions have similar rules.

The lack of legal clarity can prevent mobility device users from utilizing bike routes, even though they are often the safest option.

#### **Evidence & Related Information**

See “Wheelchairs and Mobility Scooters Pave Way for Better Bike and Roll Routes ([Video](#)),” Business in Vancouver: [Should mobility scooters and wheelchairs be allowed in B.C. bike lanes?](#) and Quebec: [Motorized mobility aids \(MMA\): Use of an electric wheelchair, three-wheel mobility scooter or four-wheel mobility scooter on public roads](#)



**4. The MVA should be amended to allow small children traveling at walking speed to use active transportation devices on sidewalks**

**Rationale**

Allowing small children traveling at walking speed to use active transportation devices on sidewalks will promote safety and mobility for young children, who often lack the skills and awareness to navigate streets safely. Children can develop their physical abilities and independence in a secure environment. Moreover, this amendment would encourage active lifestyles from a young age, contributing to better health outcomes. Ensuring that sidewalks are accessible to young children on active transportation devices can foster a safer, more vibrant public space for everyone.

**Evidence & Related Information**

See: [NSW Government: Road rules for bicycle riders](#)

**5. The MVA should be amended to provide that a driver of a vehicle must not cause or permit the vehicle to follow a vulnerable road user more closely than 3 seconds behind**

**Rationale**

A 3-second buffer allows people driving vehicles time to react to sudden stops or unexpected movements, reducing the risk of collisions. Vulnerable road users are at higher risk of severe injury in crashes, and guidance on following distance provides a safer environment by minimizing the potential for crashes. The amendment would promote greater awareness and caution among people driving, contributing to safer roads for all users and potentially decreasing traffic-related injuries and fatalities.

By mandating a safe following distance based on time and not distance, the amendment prioritizes the protection of vulnerable road users, fostering a safer, more inclusive transportation environment consistent with British Columbia's commitment to Vision Zero's goals.

**Evidence & Related Information**

US evidence that nearly half of cycling fatalities result from being hit from behind.

Source: [McLeod & Murphy, League of American Bicyclists, Every cyclist counts, 2014](#)

**6. Sections 153.1 and 153.2 of the MVA and Schedule 3 of the Violation Ticket Administration and Fines regulation should be amended to provide a fine for blocking active transportation or transit lanes and automated enforcement should be permitted.**

**Rationale**

Amending the Motor Vehicle Act to explicitly prohibit the obstruction of active transportation and transit-only lanes is essential for safeguarding the rights and safety of people cycling and other micro-mobility users. Clear regulations and effective automated enforcement will ensure that these lanes remain functional, encouraging more sustainable and safe transportation choices across the province.

Blocking active transportation lanes forces people using active transportation into general traffic lanes, significantly increasing the risk of crashes and injuries. Clear and enforced prohibitions against stopping in these lanes will protect all vulnerable road users.

This amendment will eliminate the cumbersome process of each municipality having to pass bylaws, streamline the legal framework, and promote safer cycling practices at intersections. By removing the need for additional bylaws, it ensures that people using active transportation lanes have clear and consistent rights throughout the province, fostering a more bicycle-friendly environment and encouraging more people to use active transportation.

With the ongoing increase in ride-hailing and food-delivery services, the risk of active transportation lanes being blocked has also escalated. Addressing this issue proactively will prevent a deterioration in safety and accessibility.

**Evidence & Related Information**

See [City of Vancouver - Street and traffic Bylaw. 2849](#) (Updated April 2024) and HUB Cycling's [letter of recommendation to the City of Vancouver](#) requesting an update to Bylaw. 2849 to prevent vehicles from stopping in marked Active Transportation lanes (December 2018). See [Metro Vancouver Transit Police handed out 334 tickets to drivers across the region during a four-day crackdown on misuse of bus lanes](#). See [New bus lanes with automated enforcement to be debated by Vancouver City Council](#) (July 2024).

**7. The MVA should be amended to allow people cycling and using other micromobility devices like e-scooters to use the pedestrian phase signal timing during Leading Pedestrian Intervals when there is no separate cycle signal.**

**Rationale**

Allowing people using active transportation to use the pedestrian phase signal timing during Leading Pedestrian Intervals (LPIs) would enhance safety and efficiency. People on bicycles often face difficulties navigating intersections, especially where no separate active transportation signals exist. Allowing them to start with people walking during LPIs would give them a head start, making them more visible to turning vehicles and reducing the risk of collisions. This change would also streamline traffic flow, as active transport users could clear intersections more quickly. Overall, this amendment would promote safer and more predictable interactions between people cycling, rolling, walking and driving vehicles.

**Evidence & Related Information**

As of April 2019, Quebec's Highway Safety Code permits people cycling to cross intersections on the pedestrian walk signal rather than to wait for traffic signals to turn green. In 2018, New York piloted a program allowing people biking to follow the Pedestrian Head Start Signals. The reasoning provided by the NYC Department of Transportation was that their studies found that 65% of cyclist fatalities and 89% of cyclists killed or seriously injured in vehicle crashes were struck at intersections. In 2019, the LPI bill allowing cyclists to use the Head Start passed in NYC.

**8. The MVA should be amended to remove the mandatory bike helmet law.**

**Rationale**

Evidence from various jurisdictions suggests that mandatory helmet laws can deter individuals from cycling, particularly on bike-sharing systems. By removing the mandatory helmet requirement for adults, we can encourage more people to choose cycling as a mode of transportation, leading to increased physical activity and more "safety in numbers": when more people ride bikes for transportation, injury rates decrease.

Mandatory helmet laws also disproportionately affect low-income individuals and people of colour. Data from Seattle showed that when the helmet law was enforced, it

was disproportionately targeted toward people of color and those experiencing homelessness, raising suspicion it was being used as a pretext. As a result, the King County Board of Health, which was responsible for this law in Seattle, joined many other jurisdictions in rescinding its mandatory adult helmet law in 2022.

The question is not whether helmets are effective. The question is whether or not the adult helmet law does more harm than good. None of the top cycling-friendly countries in the world have mandatory helmet laws for adults, yet they enjoy high cycling rates, low injury rates and strong population health benefits from cycling. The Province could pilot removing this law and study the impacts. Moreover, the Province could pilot an exemption for bike-sharing programs, similar to the exemption that currently exists for pedi-cab operators. Already nearly 40% of bike-share users in Vancouver do not wear helmets, given the on-demand nature of the system, and sanitary concerns around shared helmets. These riders should not be penalized for engaging in healthy and safe transportation.

### **Evidence & Related Information**

[UBC Research showed that when comparing Canadian provinces with and without helmet laws, those with a helmet law did not have reduced injury rates.](#)

See also: Chardon, C.M., Caruso, G., and Thomas, I. (2017). Bicycle sharing system 'success' determinants. *Transportation Research Part A: policy and practice*, 100, pp.202-214 and Quilter & Hogg, *UNSW Law Journal* 2021;44: 747-785 and Campbell, Technical report on bicycle infractions in Seattle (2003-2020), 2021.

- 9. The MVA should be amended so that “elephant's feet” or “cross-rides” become a provincial standard, removing the current requirement that municipalities pass additional bylaws allowing cycling in crosswalks with “elephant’s feet”, with motorists required to yield to cyclists**

### **Rationale**

Establishing a provincial standard for "cross-rides" markings will create consistency across British Columbia, enhancing safety and clarity for people biking and driving. This amendment will streamline the legal framework, reducing administrative burdens on municipalities and promoting safer cycling practices at intersections. By removing the need for additional bylaws passed by municipalities, it ensures that people biking have clear and consistent rights throughout the province, fostering a more

bicycle-friendly environment and encouraging more people to choose cycling as a mode of transportation.

### **Evidence & Related Information**

See [British Columbia Active Transportation Design Guide](#):

- Cross-rides are not currently defined in the B.C. MVA, meaning that they have no legal status and have limited application on roadways under provincial jurisdiction.
- Cross-rides that are used in combination with crosswalk markings are not currently permitted on roadways under provincial jurisdiction.

See HUB Cycling's [letter of recommendation to Maple Ridge City](#) council to legalize cross-rides (May 2024).

## **10. The MVA should be amended to expand the use of GPS Aware Speed Limiters**

### **Rationale**

Expanding the use of GPS Aware Speed Limiters can significantly enhance road safety by ensuring vehicles adhere to speed limits automatically. These devices use GPS technology to detect the current speed limit and adjust the vehicle's speed accordingly. This reduces the risk of speeding-related crashes, improves compliance with speed regulations, and contributes to safer road environments for all users, including vulnerable road users. Furthermore, it supports a consistent and automated approach to speed management, minimizing human error and the likelihood of intentional speeding.

### **Evidence & Related Information**

Studies have demonstrated the effectiveness of GPS Aware Speed Limiters in improving road safety. Research conducted by the European Transport Safety Council (ETSC) shows that intelligent speed assistance (ISA) systems, which include GPS-based speed limiters, can reduce traffic fatalities by up to 20% by ensuring vehicles do not exceed speed limits. See: European Transport Safety Council (ETSC): "Intelligent Speed Assistance – Myths and Reality": <https://archive.etsc.eu/documents/ISA%20Myths.pdf>

See Vision Zero Network on Speeds:

<https://visionzeronetwork.org/resources/speed-management/>

## **11. The MVA should be amended to introduce a stop sign as yield law for people cycling**

### **Rationale**

It is important to remember that people riding bicycles are not the same as people driving motor vehicles, and do not at all pose the same risk to people walking. In the MVA, people on bicycles are required to follow the same rules as motorists and are required to come to a full stop at a stop sign, even if there is no cross traffic. However, as anyone who rides a bike regularly knows, this is often not practical given the momentum required to stop and start.

A stop as yield law would help riders stay upright and in motion at intersections. Unlike people driving, people riding bicycles must use their muscle power to get started again, which can be difficult after a complete stop. Oregon became the latest state to allow stop as yield in 2020. Riders are allowed to slow to a safe speed, check for cross traffic and proceed without stopping. It's more efficient for riders and all the rules of right of way still apply.

Removing impractical laws like this one can also improve equity, as it reduces the risk of racial profiling if police are enforcing such behaviour.

### **Evidence & Related Information**

[See Oregon's Stop As Yield Law Information, Introduced in 2020.](#)  
[When Stop as Yield introduced, appeared to reduce injuries.](#)

## Contact Information

Thank you for your work to make our communities happier, healthier, safer and more equitable.

**For more information about these recommendations please contact:**

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