



Your **Cycling** Connection



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Cc:

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Minister of Justice, Attorney General: JAG.Minister@gov.bc.ca

Minister of State for Infrastructure: Minister.si@gov.bc.ca

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March 14, 2022

Re: Safe Passing Distance Law Peer Case Studies and Legislative Language

Dear Minister Fleming,

Data shows that vulnerable road users are being passed by motor vehicles dangerously close [one in every 17 times](#) they are passed. Yet there is no law in BC to protect people walking, rolling, and cycling from this frequent event.

Examples are numerous, one tragic event that stands out is that of Daphné Toumbanakis, 24, who was struck and killed by a pickup that did not provide a safe passing distance in Maple Ridge in July 2020. After logging more than 10,000 km of cycling around the world, she was at the beginning of a cross-Canada cycling trip. Now, the bicycle she was riding when she was hit has been painted white and stands as a ghost bike at the site of the deadly collision.

HUB Cycling, The British Columbia Cycling Coalition, and our partner organizations have been requesting a safe passing distance law for over a decade to improve road safety. The Safe Passing Distance Law motion ***that was recently endorsed by the Union of BC Municipalities (UBCM)*** shows clear support of municipalities across BC to protect vulnerable road users and provides momentum to make this law a reality. A Safe Passing Distance Law would educate people driving in BC that 1.5 metres passing distance is required¹ - many of us have never been told what is an appropriate passing distance.

Attached and [linked here](#) are case studies, statistics, and legislative language used in some of the over 39 North American jurisdictions that already have a safe passing distance law.

¹ At speeds less than 50km/h, 1 metre passing distance is acceptable

For example, Ontario police enforce this law using sonar devices that measure distances, but even without strict enforcement, the provision of a law sets the expectation for duty of care and attention drivers must use to keep vulnerable road users safe. The majority of drivers abide by laws. They are a powerful tool for establishing normative behaviour, even before enforcement.

In 2018, a partnership between advocacy, health, and municipal government bodies shared an updated [full position paper on Motor Vehicle Act \(MVA\) modernization](#) with the BC Government. A safe passing law is a top priority of 29 recommendations. Local governments, health authorities, business associations and community groups have endorsed this paper. We encourage your team to harness the momentum of the Safe Passing Distance Law. This law will tangibly improve road safety and help meet the Province's mode-share targets for sustainable transportation, and reduction in vehicle kilometres traveled.

We hope the case studies and legislative language we are sharing here, that are already in use in other jurisdictions, are helpful for your team to move this forward quickly to help achieve the Province's Vision Zero: no road-related deaths or serious injuries. Please reach out with any further requests for information or resources where we can help expedite moving safe passing legislation forward.

Minister Fleming, we respectfully request a meeting to provide further history and context about modernizing the Motor Vehicle Act to better protect vulnerable road users and to hold all road users accountable, so more people choose sustainable ways to get around.

Sincerely,

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HUB Cycling is a charitable non-profit organization that has spent over 20 years working to get more people cycling more often, for transportation. More people cycling creates healthier, happier and more connected communities. We regularly connect with over 40,000 direct contacts that are interested in cycling updates. The Regional Advisory Committee supports local committees in all Metro Vancouver municipalities to improve cycling safety, connectivity and uptake.

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The BC Cycling Coalition (BCCC) is a non-profit, member-driven society founded in 1998 to provide a voice for cycling in the Province of British Columbia. BCCC represents individual members and community stakeholders, along with over 20 cycling organizations across the province. It works with all levels of government and agencies to influence changes that make active transportation and mobility safer, more equitable, and more accessible, so we can meet our climate, health, social justice, tourism and economic development goals.