



CITY OF ST. ALBERT
ADMINISTRATIVE BACKGROUNDER

TITLE: DISMOUNT BIKE AT CROSSWALK

On June 21, 2017 Councillor Russell provided notice in accordance with Section 23 of Procedure Bylaw 22/2016 that he intended to bring forward the proposed motion below.

In order for Council to debate the motion, the motion must be formally moved.

"That a bylaw be created or appropriate bylaw be amended to require a bike rider to dismount and walk their bike when encountering a cross walk.

BACKGROUND:

Administration's understanding is that this motion is intended to assist with public education to gain compliancy, as well as to provide local law enforcement with an additional enforcement tool to be used at their discretion during their regular patrols within current human and education/awareness campaign resources. It is also Administration's understanding that this regulation is targeted towards cyclist behaviors coming from a sidewalk into a crosswalk and not intended to regulate cyclist behavior while traveling on the roadway amongst motor vehicle traffic.

On June 12, 2017 Administration provided Council with an overall Cyclist and Pedestrian Safety Action Plan in the wake of the tragic June 8, 2017 teen cyclist fatal collision with a motor vehicle. The action plan implementation is in various stages with many items completed but many are still forthcoming including the outcome of the RCMP collision investigation as well as various engineering and education items.

If this motion were to pass, Administration would look to draft and propose a Bylaw to amend Section 41 of St. Albert Traffic Bylaw 18/2005. The proposed Bylaw would be brought back for Council consideration prior to the last Council meeting as determined by the Agenda Committee. The proposed provision will be drafted in such a way as to prohibit the operation of a Bicycle within a marked or unmarked crosswalk. It would not include any prohibitions for pedestrians that are using skateboards, non- motorized scooters, rollerblades/skates to dismount/remove the device and walk across the crosswalk. People using these devices are defined as Pedestrians in the Traffic Bylaw and considered as such when Provincial law is enforced.

The full St. Albert Traffic Bylaw can be viewed at:

<https://stalbert.ca/uploads/legislative/ConsolidatedTrafficBylawByBL34-2014.pdf>

Section 41 currently reads:

Bicycles

41. (1) *Notwithstanding Section 5, a Person may operate a bicycle on a Sidewalk.*
- (2) *Notwithstanding subsection (1), no Person may operate a Bicycle on a Sidewalk*
- (a) *without yielding the right of way to Pedestrians; or*
- (b) *in a reckless manner.*
- (3) *No Person shall operate a Bicycle without wearing an Approved Helmet except for*
- (a) *a Person for whom the wearing of a helmet would interfere with an essential religious practice; or*
- (b) *a Person who is in the possession of, and produces on request to a Peace Officer, a valid certificate issued by a medical practitioner certifying that the Person is, for the period stated in the certificate, unable for medical reasons to wear a safety helmet.*

Section 40 currently reads:

In-Line Skates / Roller Skates / Skateboards / Non-Motorized Scooters

40. (1) *No Person shall use in-line skates, roller skates, a skateboard or a nonmotorized scooter*
- (a) *on a Sidewalk in a reckless manner or without yielding to other Pedestrian traffic; or*
- (b) *in a Transit Zone or Transit Centre.*
- (2) *No Person shall permit a Person under the age of 12 years to use in-line skates, roller skates, a skateboard or a non-motorized scooter on a Highway without wearing a commercially available safety helmet specifically designed for such use unless*
- (a) *the wearing of a helmet would interfere with an essential religious practice of the Person using the in-line skates, roller skates, skateboard or non-motorized scooter; or*

- (b) *a valid certificate (producible to a Peace Officer upon request) issued by a medical practitioner certifies that the Person using in-line skates, roller skates, skateboard or non-motorized scooter is, for the period stated in the certificate, unable for medical reasons to wear a safety helmet.*

Provincial legislation defines bicycles as vehicles, and as such, they are required to follow all the same motor vehicle rules of the road; unless exempted by a Municipal Bylaw to operate on sidewalks (and trails).

Prior to Traffic Bylaw 18/2005, the Traffic Bylaw was silent on the operation of Bicycles and therefore the use on sidewalks was prohibited in the City through Provincial law. Some of the larger Municipalities in Alberta continue to prohibit bicycles on sidewalks unless they are operated by children. Best bicycle safety practices continue to promote travelling on the roadways with motor vehicles because sidewalk cycling often results in surprised motorists at intersections and because the cyclist is unable to stop quickly when conflicts arise at street corners and crosswalks.

In 2005/2006, the Traffic Bylaw underwent a significant rewrite and Council debated a number of matters related to the operation of bicycles in the city. Council debated and permitted all bicycles to be operated on sidewalks, as long as they yield to other pedestrians and are not operated in a reckless manner.

Council specifically debated and defeated the following motion:

(C65-2006)

That Bylaw 18/2005 be amended by inserting a new Section 41(3) as follows: When operating a Bicycle on a Sidewalk, no Person shall leave the Sidewalk and enter a Crosswalk without dismounting the Bicycle and pushing the Bicycle across the Crosswalk”

Administration was not able locate any other Bylaws that specifically prohibit operating a bicycle within a crosswalk. However, Provincial law clearly states that when a bicycle is on a roadway, the operator must operate it as close as practicable to the right curb or edge of the roadway unless making a left-hand turn, therefore travelling in a crosswalk would be contrary to that requirement. It is also important to note that, because Provincial law is clear in that a bicycle is a vehicle, there can be a number of other Provincial charges that could be applicable to a person who operates a bicycle within a crosswalk.

Report Date: July 4, 2017
Author(s): Aaron Giesbrecht
Committee/Department: Policing Services
General Manager: Dale Bendfeld
City Manager: Kevin Scoble