



File: 1420-30 TAC

Memo

To: Angila Bains, Director of Legislative and Protective Services/Corporate Officer
From: Colton Whittaker, Transportation Advisory Committee Clerk
Date: April 1, 2025
Subject: Advocacy for Changes to the Motor Vehicle Act (MVA)

At the February 27, 2025, Transportation Advisory Committee meeting, the committee discussed a memo from Councillor De Vries regarding advocacy for changes to the Motor Vehicle Act (MVA). This discussion resulted in the following motion:

“That the Transportation Advisory Committee recommend that Council consider the recommendations outlined in the February 20, 2025, memo from Councillor De Vries regarding advocacy for changes to the Motor Vehicle Act (MVA) through letter writing and Union of British Columbia Municipalities (UBCM) Resolutions.”

CARRIED

An excerpt of the February 27, 2025, minutes, and a memo dated February 20, 2025, from Councillor De Vries are attached for information.

Colton Whittaker

Colton Whittaker
Committee Clerk

POTENTIAL MOTOR VEHICLE ACT AMENDMENT RECOMMENDATIONS

The committee discussed a memo from Councillor De Vries (Memo on file), and the following was noted:

- Addressing systemic and cultural issues is necessary for effective change to take place for all road users.
- Recommendations 2 and 3, which address speed limits, may lead to confusion. A more practical approach could involve requesting the province to establish default speed limits for urban areas, with signage indicating the speed limit upon entering these zones. However, varying speed limits between municipalities may be impractical for road users.
- Maintaining the current system, where a sign is required whenever a road is not 50 km/h, may have greater tax implications.
- Red arrow traffic signals are not recognized under the *Motor Vehicle Act* (MVA).
- Eliminating right turns on red lights could impede traffic flow and increase idling. Right turns on red lights might be more suitable for rural settings than urban areas.
- "Elephant feet" markings, which consist of large dotted blocks along crosswalks, indicate that cyclists can ride through the crosswalk. Motorists must yield to cyclists in these marked areas, and further clarity could be provided through updates to the MVA's language.
- Consistency is essential to avoid driver confusion about when to expect cyclists riding through intersections from sidewalks, particularly at intersections without traffic lights.
- Tree overgrowth and shrubbery near areas where local trails cross roads can obstruct visibility and create hazards.
- The District actively works to maintain sightlines at these crossings to improve safety.
- Recommendation 4 in the memo clarifies that cyclists are responsible for riding as close to the right side of the rightmost through lane as possible.
- It is the responsibility of the road user to educate themselves on the MVA and road safety regulations.

MOVED by T. Barry and Seconded by J. Konkel: "That the Transportation Advisory Committee recommend that Council consider the recommendations outlined in the February 20, 2025, memo from Councillor De Vries regarding advocacy for changes to the Motor Vehicle Act (MVA) through letter writing and Union of British Columbia Municipalities (UBCM) Resolutions."

RESULT: Carried 8 TO 0

IN FAVOUR: Ali, Barry, Corder, Konkel, de Vries, Coates, Stepney, McLaughlin

OPPOSED: None



LEGISLATIVE AND
PROTECTIVE SERVICES

Memo

To: Transportation Advisory Committee
From: Councillor De Vries
Date: February 20, 2025
Subject: Potential Motor Vehicle Act Amendment Recommendations

In response to urban expansion and evolving transportation dynamics within the District of Saanich and across the Province, there is an imperative need to update the Motor Vehicle Act. Such updates are essential to enhance road safety, harmonize with modern transportation standards, and address environmental challenges. Moreover, revising the act will facilitate better integration of emerging mobility solutions and technologies, such as electric vehicles and shared transport systems, ensuring they align with our sustainability goals and community needs. This initiative is critical in maintaining an efficient, safe, and environmentally conscious transportation ecosystem that supports our growing community.

This memo reflects the recommendations outlined in the position paper prepared by the [Road Safety Law Reform Group of British Columbia in 2016](#). While some of the recommendations from the paper were addressed through Bill 23 – Motor Vehicle Act Amendment Act, 2023, several of them have not yet been acted upon, but remain relevant. I've also added a recommendation (#12) that was identified by the community as a concern through development of our Road Safety Action Plan.

We believe that implementation of the recommendations outlined below would make immediate and meaningful change for the safety of roadways in Saanich and across BC.

Recommendation 1 (Recommendation 1 in the position paper)

The name of the legislation should be changed to the *Road Safety Act* to be more representative of the different classes of road users and to reflect the primary goal, which is to ensure safety.

Recommendation 2 (Recommendation 6 in the position paper)

The MVA should be amended to empower municipalities to adopt a default speed limit for unsigned highways within municipal boundaries, by bylaw and posting of signs at municipal boundaries. Municipalities should be empowered to adopt appropriate default speed limits without the necessity of signing every block. The present system requires municipalities, like Saanich, to commit substantial resources to adopt municipal-wide default speed limits that differ from the provincially mandated 50 km/h.

Recommendation 3 (Recommendation 7 in the position paper)

A default provincial speed limit of 30 km/h for local (no center line) streets should be included in the MVA, with municipalities enabled to increase speed limits on local streets on a case-by-case basis by bylaw and posted signage. This approach would relieve municipalities of the financial burden of installing signs on each block on local streets.

Recommendation 4 (Recommendation 9 in the position paper)

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, except:

- when travelling with the normal flow of traffic on the highway,
- on a roadway with no center line,
- on a lane that is too narrow for a cycle and a vehicle to travel safely side by side within the lane,
- on a laned roadway on which traffic is restricted to one direction of movement, at which time a cyclist may ride as near as is safe to the left side of the left-most through-lane,
- if the right-most through-lane is obstructed by cycles or vehicles turning right and the cyclist first ascertains that the movement can be made with safety and without affecting the travel of any other vehicle,
- when overtaking and passing another vehicle or cycle proceeding in the same direction and first ascertains that the movement can be made with safety and without affecting the travel of any other vehicle,
- when preparing for a left turn at an intersection or into a road or driveway and first ascertains that the movement can be made with safety and without affecting the travel of any other vehicle, or
- if avoiding an obstruction on the highway that makes it unsafe to continue along the right side of the right-most through lane and the cyclist first ascertains that the movement can be made with safety and without affecting the travel of any other vehicle.

Section 183(4) should be repealed.

Recommendation 5 (Recommendation 10 in the position paper)

Amend the s.158 of the MVA to clarify and expand when cyclists may pass on the right, by:

- clarifying s.158 to state that when a cyclist travels to the left of parked vehicles in the right-most marked lane of a laned roadway, that this is an “unobstructed lane” where the cyclist is permitted to travel for the purposes of s.158 (1)(b),
- exempting cyclists from the prohibition on using the shoulder at s.158 (2)(b), and
- adding exceptions to the general rule against passing on the right at s.158 (1)(a) to (c):
 - where the driver is a cyclist, and where the highway is free from obstructions and is of sufficient width for the cyclist to pass to the right of vehicular traffic,
 - where the driver is a cyclist, and there is space marked or lane designated for bicycle traffic, or where the driver is a cyclist using a sidewalk where cycling is permitted, and
 - where it is necessary for a cyclist to access a cyclist-controlled signal button.

Recommendation 6 (Recommendation 11 in the position paper)

Sections 165, 166 and 167 of the MVA should be amended to provide that a motor vehicle must yield to a through-moving cycle or other vulnerable road user when turning. Portions of the right-hand turn rule requiring motorists to position their vehicle at the extreme right edge of the

highway should be repealed, or alternatively amended to prevent doing so when it would obstruct the travel of a person operating a cycle.

Recommendation 7 (Recommendation 12 in the position paper)

Subsection 150(3) of the MVA should be amended to provide that:

- (a) The driver of a vehicle or cycle entering a roadway in or around a rotary traffic island or roundabout shall yield the right of way to traffic already on the roadway in the circle or approaching so closely to the entering highway as to constitute an immediate hazard; and
- (b) The driver of a vehicle or cycle passing around a rotary traffic island or roundabout shall drive the vehicle in a counterclockwise direction around the island or the center of the circle.

Further, standardized signage for rotary traffic islands and roundabouts that specifies the right of way should be adopted across the province.

Recommendation 8 (Recommendation 20 in the position paper)

The MVA should be amended to clarify when adult cyclists are permitted to ride on the sidewalk and to provide that children 12 and under and people with disabilities are permitted to ride on the sidewalk. Existing s. 183(2)(a) should be replaced as follows:

- (a) must not ride on a sidewalk unless
 - (i) the person is aged 12 or under, or is a person of any age with a disability that prevents the person from safely operating a cycle on a highway,
 - (ii) authorized by a bylaw made under section 124 or otherwise directed by a sign or pavement marking,
 - (iii) directed by detour to use a sidewalk, or
 - (iv) a parallel bicycle facility is obstructed,

and where a cycle is lawfully operated on a sidewalk, the operator of the cycle must yield to any pedestrian using the sidewalk.

Recommendation 9 (Recommendation 21 in the position paper)

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, and where the operator of a cycle proceeds onto a sidewalk to operate the signal, the operator of the cycle must yield to pedestrians lawfully on the sidewalk.

Recommendation 10 (Recommendation 22 in the position paper)

The MVA should be amended to clarify when cyclists can ride through a crosswalk and indicate that motorists must yield to cyclists if they are in a crosswalk marked by “elephant’s feet” or otherwise indicated to be a cycle crossing or cycle-priority space, such as a bike box. To that end, paragraph 183(2)(b) should be amended as follows:

- (b) must not, for the purpose of crossing a highway, ride on a crosswalk unless

(i) authorized to do so by a bylaw made under section 124,

Recommendation 11 (Recommendation 13 in the position paper)

The MVA be amended to provide for the use of red arrow traffic signals to signify when a right-turning vehicle is prohibited from turning.

Recommendation 12

The MVA should be amended to include a ban on right turns on red lights at all intersections. Research has demonstrated that banning these turns can significantly decrease the number of crashes, particularly those involving vulnerable road users.

The recommendations outlined above are well researched and support provincial and municipal Vision Zero goals.

Conclusion

In conclusion, revising the Motor Vehicle Act for the District of Saanich is not just a legislative necessity but a strategic move towards fostering a safer, more adaptive, and sustainable transportation landscape. By updating these regulations, we not only address current insufficiencies and cater to emerging trends but also ensure that our infrastructure evolves in sync with technological advancements and environmental commitments. Such progress will significantly enhance our community's quality of life, positioning Saanich as a leading example of a forward-thinking, dynamic urban district. If actioned, these amendments would lead to immediate and meaningful improvements for all road users in Saanich and across British Columbia.

Suggested Next Steps

That the Transportation Advisory Committee recommend that Council takes on advocacy for the above changes to the Motor Vehicle Act through letter writing and resolutions to UBCM.