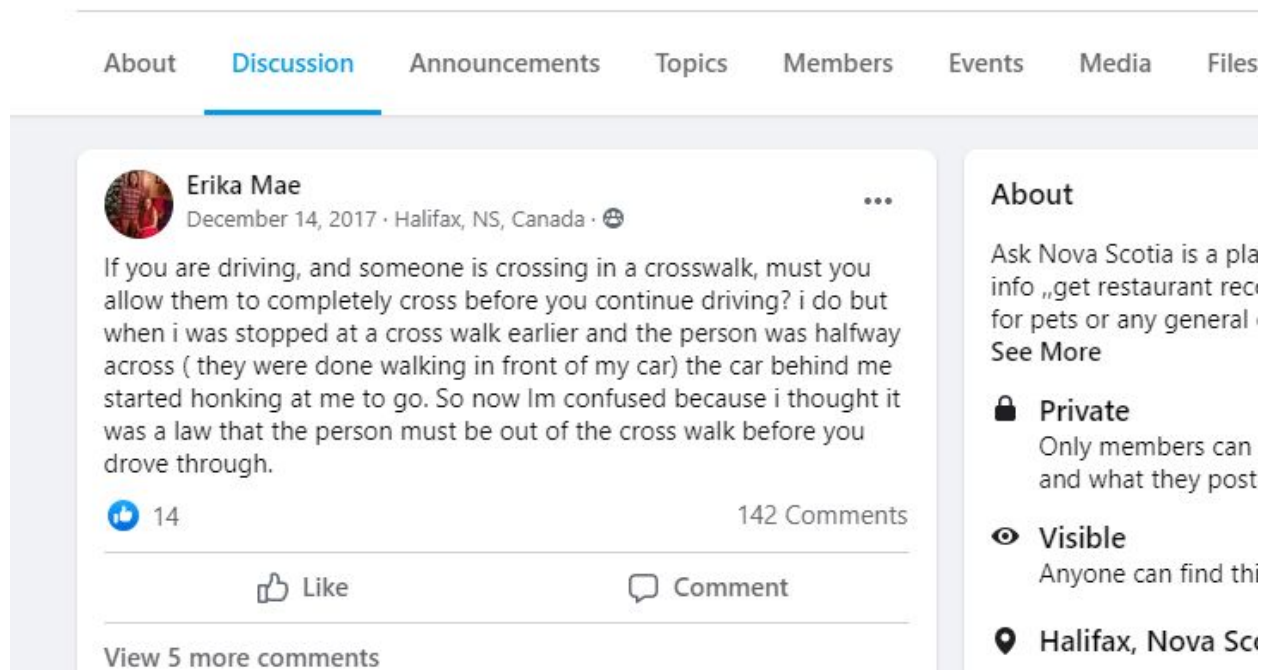


General Feedback on public consultation and the regulations

This is a valuable opportunity to understand and meet the needs of all road users, to simplify processes and rules and permit infrastructure to be used safely for those of all ages and abilities and which allows for how we actually drive, walk and cycle.

Although consultation is welcomed, asking the public to [review 65 pages of draft regulations](#) and provide relevant and useful feedback is a difficult task for everyone outside of a minority who hold special skills, higher education and specific professional knowledge. I have taken the time to do this because I have [heard extensive feedback](#) from the public relating to traffic laws and regulations and would like to share some of this.

Regulations should be either drafted or explained in such a way to ensure they are concise and easily comprehended by everyone, because we all rely on them being understood and heeded for our safety. Few comprehend many key requirements in the current regulations, causing unresolved [debate](#) and often danger.



The screenshot shows a forum interface with a navigation bar at the top containing links for About, Discussion (highlighted), Announcements, Topics, Members, Events, Media, and Files. Below the navigation bar is a post by Erika Mae, dated December 14, 2017, from Halifax, NS, Canada. The post text asks if drivers must allow someone to completely cross a crosswalk before continuing. Erika Mae shares a personal experience where a car honked at her for driving through a crosswalk before a pedestrian had finished crossing. The post has 14 likes and 142 comments. Below the post are buttons for 'Like' and 'Comment', and a link to 'View 5 more comments'. To the right of the post is an 'About' section for the user, which includes a bio snippet, a 'See More' link, and privacy settings: 'Private' (only members can see posts) and 'Visible' (anyone can find the profile). The location is listed as Halifax, Nova Scotia.

Rules and requirements should not be pitched to those with the highest abilities and standards, those willing and able to learn technicalities and who diligently practice them. These people may be the minority. The large local [police avoidance groups on social](#)

[media](#) reflect where Nova Scotia is - personal convenience over safety and careful, considerate and legal driving.

Public safety messages from Halifax police do not focus on speeding offences. They focus on stunting offences. This reflects how much work is required to ensure roads are safe for all users.

The rules/laws relating to use of the roads should be codified in plain language so that the public can understand key legal requirements within a handbook, which should be available online and in public locations such as libraries - see for example the [UK's Highway Code](#).

Photographs and graphics showing the execution of key rules are critical. It should be crystal clear, for example, that drivers are required by law to continue yielding to pedestrians until they either reach a physical median or the sidewalk.

Cyclists and pedestrians may not be trained or educated in road laws and include children and people with mental and learning disabilities. Therefore, rules should be straightforward and not punitive to avoid discrimination against those least able to comprehend and meet them. The rules should reflect the practicalities of how people need to walk or cycle to meet their mobility and safety needs, and the dangers presented by multiple-lane and high speed roads found where people live, walk and cycle.

Walking and cycling are undoubtedly the most dangerous and difficult way to travel in Nova Scotia due to high speed (by design) roads, lack of protection from traffic and infrequent and dangerous crosswalks. Drivers often see pedestrian safety as a pedestrian issue, not their concern, and dismiss it the issue as caused by dangerous or careless behaviour by pedestrians.

There sometimes appears to be an understanding by traffic engineers in Nova Scotia that the safety requirements of vulnerable road users cannot be met due to traffic flow considerations. This may [encourage more car-use](#), deter those who may choose sustainable transport, and endanger vulnerable road users.

The road user regulations are an opportunity to ensure vulnerable road user safety is understood and prioritized. Our experience of using high-speed and multiple-lane roads outside of a vehicle is very different, and very dangerous. Nova Scotia must shift from a culture of supporting speeding drivers and car use, to a culture of supporting all road users and prioritising sustainable transport.

Above all, the rules must eliminate the opportunity for dangerous conflicts between vulnerable road users and vehicles that result in road user error. Unfortunately this is not evident in parts of the current draft rules.

Regulation Specific feedback

(a) Pedestrians

20 Crosswalks

It should be clear in this Section that drivers must yield to pedestrians in both marked and unmarked crosswalks without the need to search through another piece of legislation to find the definition of “crosswalk”. This approach results in confusion and [lack of wider knowledge by the public as to what constitutes a crosswalk](#).

Where are the regulations concerning crosswalk infrastructure and markings, for example yield lines, signage, lines that show parking is not permitted either side of crosswalks, etc?

(4) A pedestrian must not leave a curb or other place of safety and walk or run into the path of an approaching vehicle or other conveyance if the vehicle or other conveyance is so close that it is impracticable for it to be stopped.

The reason for this law is understood. However, because drivers must yield to pedestrians who are stopped waiting at the edge of the roadway waiting to cross pursuant to Section 20(1)(a), the driver should normally see and yield to the pedestrian before he/she steps out. Practically however, few drivers do yield because the pedestrian is in the periphery of their vision (due to wide crosswalks with no refuge islands) and they are not seen at all, until the pedestrian steps out deliberately to make themselves seen.

Many drivers seem to understand that if they have not seen the pedestrian and the pedestrian walks out into the crosswalk in such a way that they cannot stop in time, the pedestrian will be at fault due to Section 20(1)(a). They do not understand that they may also be at fault because they have not seen the pedestrian and yielded.

It should be clarified in Section 20 (or at least in interpretive guidance) that the requirement at 20(4) does not in any way prevent the driver from also being fined due to Section 20(1)(a).

It is also suggested that rule 20(4) is not required - pedestrians will not step out in front of a vehicle that is so close that it is impracticable for the driver to stop, because of the resulting danger they will put themselves in. This is an adequate deterrent, without the need for additional law.

Regulations 25 and 26: Yielding right of way when turning at intersections to pedestrians

Section 25(1)(c) & 26 state that a turning driver must yield to “any pedestrian lawfully in a crosswalk”.

This should be amended to state drivers should yield to pedestrians pursuant to Regulation 20(1), which includes the requirement to yield to pedestrians stopped at the edge of the roadway facing traffic. This will ensure crosswalk yielding laws are consistent at all crosswalks and so are more likely to be understood and heeded by all.

Regulation 41(2)

(2) Unless otherwise directed by a pedestrian signal, a pedestrian facing a steady green arrow traffic signal may proceed, but only in both of the following manners:

(a) in the crosswalk;

(b) toward the signal

This is an unclear law which could lead pedestrians (who include children and people with mental and learning disabilities) to understand they can proceed during a phase when vehicle drivers are permitted to turn into the crosswalk.

Regs 41 to 43: Requirement for a specific regulation concerning use of an arrow signal which can turn red, in addition to amber and green.

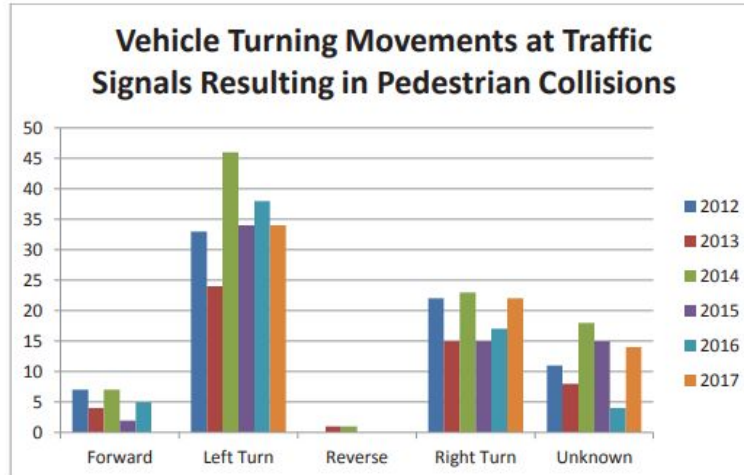
It is critical that Nova Scotia adopts regulations that permit directional traffic lights to turn red (which I understand the current lights are already capable of, with no additional equipment requirements) and not just green and amber. Red directional traffic lights are seen in jurisdictions throughout the world, shown here in Panama City.



This protects pedestrians from the most common cause of them being hit within HRM - see incident chart below and Halifax's [semi-annual pedestrian safety reports](#).

During the **red** directional arrow phase, vehicular traffic turning left must stop and cannot turn into the path of both oncoming traffic and pedestrians who are crossing legally. However traffic moving straight ahead may continue during this phase, with the green ball lit.

The hazard caused to pedestrians during the green ball lit, directional arrow unlit phase can be seen [in this video](#) at an intersection between the Keshen Goodman public library and the Canada Games Centre, in which I was wearing bright clothing. This is not at all unusual.



Engineering

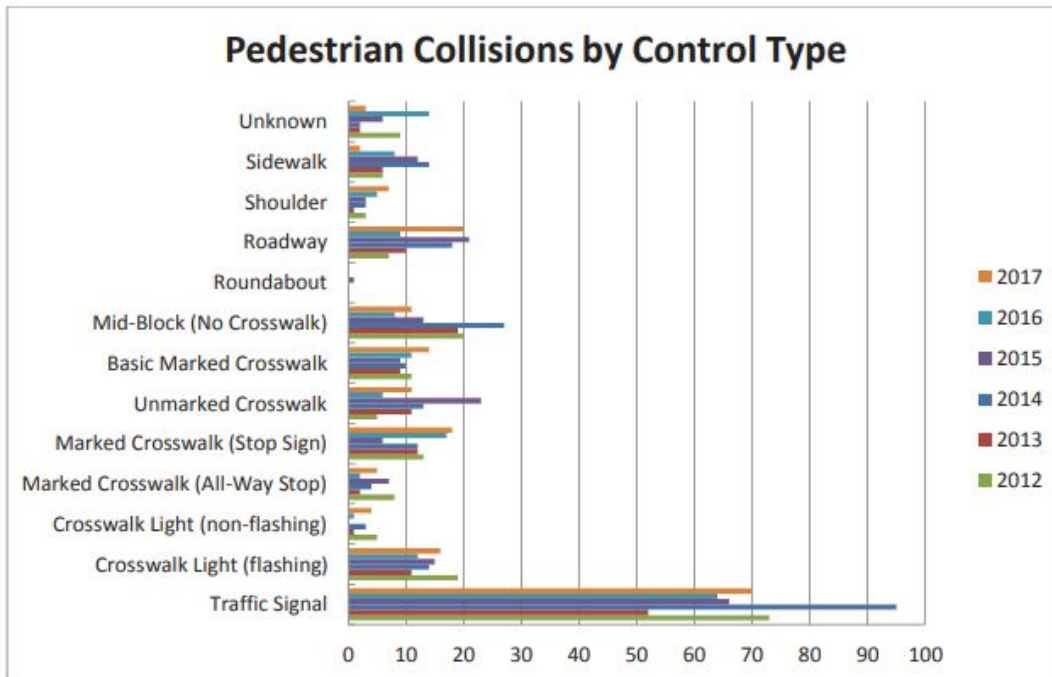
HRM Traffic Management is currently involved with multiple crosswalk and pedestrian safety initiatives.

Pedestrians (as vulnerable road users) have a human right to use crosswalks that are fit for purpose, in that they are adequately protected by adequate control and design features from vehicle conflicts that place them in great danger. Their personal safety as unprotected road users is the priority, not maximising vehicle throughput.

Signalized intersections are very dangerous because there are no design or control features that protect pedestrians and which address the most common reasons why they are hit while crossing legally. They account for [40 to 70% of the total number of pedestrian incidents](#) in many Canadian cities, despite usually accounting for the minority of intersections in urban areas and offering the clear potential (seen in other jurisdictions) of separating conflicting flows of traffic with appropriate directional lights and phasing.

As they wait to turn left at signalized intersections, *“drivers focus most of their attention on the vehicular traffic and the traffic signal, rather than any pedestrians crossing the street”*, concluded [research from Oregon State University](#).

Therefore, the legal requirement to yield alone does not result in consistent abeyance of this law nor safety for pedestrians.



This serious danger for pedestrians from left turns at signalized intersections when drivers are permitted to turn when pedestrians cross is evidenced in local incident data - see Halifax's [May 2018 pedestrian safety report](#) extracts above. This statement has been repeated in the yearly pedestrian safety reports produced by Halifax traffic staff:

An assessment of the data compiled for 2017 shows that the most common pedestrian-vehicle collisions are occurring at traffic signals, with left hand turns being the most predominant vehicle movement.....This is consistent with previous years' findings.

A differently placed red directional light (or a straight-on only green directional light, used extensively in the UK) could also be lit for right-turning traffic when pedestrians are crossing, resulting in the removal of another very common cause of danger and serious incident for pedestrians, including a fatality earlier this year at an [intersection on Portland Street](#), caused by a right on green driver movement.

This extreme danger and widespread situation regarding lack of safety for pedestrians from concurrent signal phasing is known by the Transportation Association of Canada and local staff, and must be addressed with robust safety infrastructure and laws.

The triple vehicular conflict pedestrians face when crossing legally (right on red, right on green, left on green) cannot be addressed by education - it is too difficult for pedestrians

to sight and avoid vehicles moving towards them from three directions, as shown below in Nova Scotia's leaflet "[Pedestrian Safety is no accident](#)".

Watch for cars that don't stop. Not all drivers obey traffic signals.



Watch for turning vehicles. Keep watching as you cross. Thank drivers with a wave and a smile.

Concurrent signal phasing ignores the obvious disadvantage to blind pedestrians due to this triple vehicle movement hazard, and the fact most pedestrians including children are likely unaware of just how dangerous and complex their required crossing task is. I am aware of many pedestrians who find this regular hazard both extremely dangerous and distressing.

In European cities and countries, the standard concurrent traffic light signal timings seen in Canada and the USA [do not exist](#). This is because they are dangerous

and cause regular incidents, therefore walk request buttons trigger a fully protected (no permissive yield) walk phase. Traffic lights which hold left turning traffic with a red light while pedestrians cross are also common in Montreal and Quebec City, as seen [here](#), so I understand.



Any cost-benefit analysis of concurrent traffic signals without light sequences and types that minimise conflict should include the cost of emergency vehicles and medical treatment, disruption to traffic flow caused by incidents, human lives lost or permanently affected by injury, and loss of earnings/tax income.

This proposed regulation permitting a red directional traffic light phase would undoubtedly save both lives and life-altering injuries. It could potentially also aid the safe and protected passage of cyclists and e-bike users using (hopefully to be legalized) cross-rides. Given the overwhelming evidence supporting its use and widespread deployment elsewhere, red-phase directional lights must be permitted.

35 Prohibited stopping and parking

Although a 5 metre no parking/stopping distance from a crosswalk may be adequate on a smaller road with a safe design speed of 30 km/h or less, it is not adequate for most urban and community roads in Nova Scotia, which have a speed limit of 50 km/h or more and a design speed in excess of that due to Highway-style multiple, wide traffic lanes.

Consider for example the clearly marked no parking zones either side of mid-block crosswalks on artery roads in the United Kingdom of fifteen metres (see below) and legal requirement [not to stop or park within ten metres of a junction](#) (Code 243).



Oregon Department of Transport [advise](#) as follows:

When stopping for a crosswalk on a multi-lane road, you should stop about 30 feet before the crosswalk so you don't block visibility to a driver in a second lane.

Given the high design and legal speed of most roads in Nova Scotia, Regulation 135(1)(c) should be adapted so that the **standard legal minimum stopping and parking distance is ten metres from a crosswalk**, unless marked otherwise by a traffic authority, for example on roads known to be used at speeds that are safe for vulnerable road users and where rapidly approaching traffic is not a major hazard.

On higher speed multiple lane artery roads at mid-block crosswalks, that distance should be extended to **at least fifteen metres**. This requirement should be accompanied with regulations that provide for clear road markings and infrastructure that prompt drivers to stop well in advance of multiple lane crosswalks, therefore eliminating sight inhibitions.

(b) Cyclists, e-bikes and other micro-mobility users

19 Bicycle Lanes

19 (2) Driving in a bicycle lane that is otherwise prohibited by subsection (1) is permitted in any of the following circumstances:

(a) it is necessary to do so to go around another vehicle or other conveyance to which both of the following criteria apply: (i) it is immediately in front of the driver's vehicle or other conveyance; (ii) its driver is signalling the intention to turn left;

(b) it is necessary to do so to complete a driving manoeuvre that is otherwise permitted by the Act and these regulations;

(c) it is impracticable not to do so.

Cyclists are very often not seen by drivers when they are using bicycle lanes, especially when approaching from the rear of the driver, due to blind spots and reliance on the driver looking at their rear-view mirrors at the right moment.

A permitted manoeuvre within a cycle lane will result in driver error and cause cyclists to be hit. The current suggested wording is also confusing and unclear and so may not be understood, known or heeded by the majority of drivers.

Suggested alternative wording (as per **Section 140 of the UK's Highway Code**) - this is clear, concise, and more likely to be understood and known by drivers:

You MUST NOT drive or park in a cycle lane marked by a solid white line during its times of operation. Do not drive or park in a cycle lane marked by a broken white line unless it is unavoidable.

Regulation 30: Overtaking

(7) A driver must not overtake a bicycle unless both of the following conditions are met:

(a) there must be sufficient space to do so safely;

(b) the driver must keep their vehicle or conveyance at least 1 m away from the bicycle.

One metre is not sufficient enough to afford a vulnerable road user adequate safety and protection from a motorized vehicle. As a cyclist, being overtaken by a vehicle that is one metre from you can be extremely unnerving. The UK Government advise that drivers [should give cyclists as much space as they would a car](#) and use this photo to demonstrate a safe overtaking distance:



The law should be amended to afford a minimum of 1.5 metres distance between the vehicle and the cyclist, as recommended by [cycling organisations](#) and [governments](#), and [as enforced by some local police forces](#).

103 Opening vehicle door

To understand if “traffic” includes bicycles it is necessary to look up the definition of traffic and then the definition conveyance in the Traffic Safety Act. Bicycles should be mentioned specifically, as this law is [critical for the personal safety of cyclists](#). It should be developed and explained further within a code or handbook.

Conveyances Other Than Vehicles (from section 113)

Why do the requirements relating to bicycles (which are human powered by definition) not also apply to e-bikes?

114 Bicycle in bicycle lane

(1) Except provided in subsection (5) or unless it is impracticable to do so, a bicycle must be driven in a bicycle lane, if there is a bicycle lane on the roadway for bicycles travelling in the same direction.

Most “bicycle lanes” in Nova Scotia are not designed for the purpose of providing safe transport for cyclists - they are a narrow painted area at the edge of the road which is often unusable and dangerous due to drainage infrastructure, debris, ice or snow and often uneven and broken road surfaces.

Like drivers of vehicles, cyclists require specific and regularly maintained infrastructure that meets their unique needs. A neglected and peripheral area of the road that is not designed for safe cycling can cause them great danger, for example when they need to swerve into the traffic lane to avoid a drain, some debris or broken road surface.

This regulation should be removed as it results in tension between cyclists and drivers who do not understand why cyclists are not able to use an area of the road that is designed for drainage, not cycling. See also below.

Also: Cyclists do not “drive”, they cycle or ride.

115 Bicycle not in bicycle lane

A cyclist who is not travelling in a bicycle lane must travel as far to the right side of the roadway as practicable or on the right-hand shoulder of the highway, unless any of the following apply:

- (a) the cyclist is preparing to or turning left in the same manner as a driver of a vehicle;*
- (b) the cyclist is travelling in, exiting or preparing to travel in or exit a rotary or roundabout in the same manner as the driver of a vehicle in a lane other than the far-right lane;*
- (c) the cyclist is preparing to cross or is crossing a railway grade crossing;*
- (d) the cyclist is passing a vehicle or other conveyance on the left of the vehicle or other conveyance;*
- (e) it is impracticable to do so.*

The following exception should be added:

(f) The cyclist needs to move towards the centre of the lane for his or her own safety.

This allows for the [widely recognised](#) (and often protected in law) ability for cyclists to take the lane in circumstances that include:

- (a) The need to avoid dangerous debris, snow or ice by the edge of the road
- (b) The need to provide a clear distance between themselves and parked vehicles due to the very common “dooring” hazard.
- (c) If the lane is not wide enough to share and drivers are not able to overtake safely, for example when there is heavy traffic in the overtaking lane.
- (d) Where drivers are consistently close-passing the cyclist (often on multiple lane roads) and so the cyclist moves into the centre of a lane to ensure drivers slow down and overtake safely.
- (e) Where a cyclist is aware a driver wants to overtake but knows it is unsafe for them to do so, for example due to a curve in the road or an oncoming vehicle.

116 Bicycle crossing highway

(1) In order to cross a highway in a crosswalk, a cyclist must dismount and walk the bicycle in the crosswalk.

(2) The provisions in these regulations that apply to a pedestrian at or in a crosswalk apply to a cyclist crossing a roadway in a crosswalk in accordance with subsection (1).

Dedicated and separated (from pedestrians) crossings for cyclists (also e-bikes and e-scooters) should be legalized where they do not need to dismount - see photo below.



This meets modern policy requirements that prioritize the movement and safety of cyclists and micro-mobility solutions in urban areas. The above can be amended accordingly to;

(3) where provision is made for cyclists to cross the road through clear separated markings known as “crossrides”, cyclists do not need to dismount. Drivers must yield to cyclists in the same way as they are required to yield for pedestrians pursuant to these regulations.

118 Equipment for visibility while driving bicycle

(1) A cyclist who is travelling at a time of reduced visibility must activate the lamps and display the reflectors required for a bicycle by the Vehicle Equipment, Safety and Inspection Regulations.

Please clarify: How and where is “reduced visibility” defined? Does this include fog, mist and heavy rain or snow?

Must cyclists carry lamps on all bicycles at all times? If not, they would be unfairly prejudiced by this regulation if weather conditions worsen during their journey and they are caught without lights/lamps?

122 Bicycle driving single file

(1) A cyclist must drive in single file in relation to other bicycles or conveyances other than vehicles, unless the cyclist is overtaking another bicycle or other conveyance.

This should be amended to permit cyclists to ride two abreast where they are doing this for their own safety (see above re cyclists “taking the lane”) as is specifically [permitted by law for this reason in the United Kingdom](#).

Please also refer to this [video explainer](#) by internationally renowned professional cyclist Chris Boardman on why cycling two-abreast is safer for cyclists, and makes overtaking easier and safer for drivers too.

Nova Scotia has the potential to be a world-class cycle touring and racing destination. However a proposed regulation that prevents standard group cycling formations seen throughout Europe and utilized for safety (not just for socialising or lack of empathy to drivers, as commonly understood) would be highly discouraging to many professional touring and racing cyclists.

Also: Cyclists do not “drive”, they cycle or ride.

126 Personal transporters

These seem to include Segways and hover-boards (side-by-side wheels), but exclude e-scooters?

Where are the laws and regulations that apply specifically to e-scooters?

How has it been determined that Segways are safe for use on sidewalks, given many sidewalk users will be severely injured or killed if hit by a machine that moves up to 20 km/h, for example the elderly, disabled and younger children?

How have blind pedestrians (for example) been consulted regarding this law? Or parents of small children who rely on safe walking for transport? How is it deemed appropriate that the safety of our most vulnerable pedestrians is prejudiced by this law?

(c) All road users

Intersection Safety (Regs 22 onwards)

Intersections are currently extremely dangerous for vulnerable road users, with Halifax's 272 signalized intersections alone accounting for around [40% of pedestrian incidents, and intersections accounting for 65% cyclist incidents in Halifax](#). Overall, they account for most ([52% of fatal and injury collisions in Halifax](#)).

There should be specific regulations which make clear;

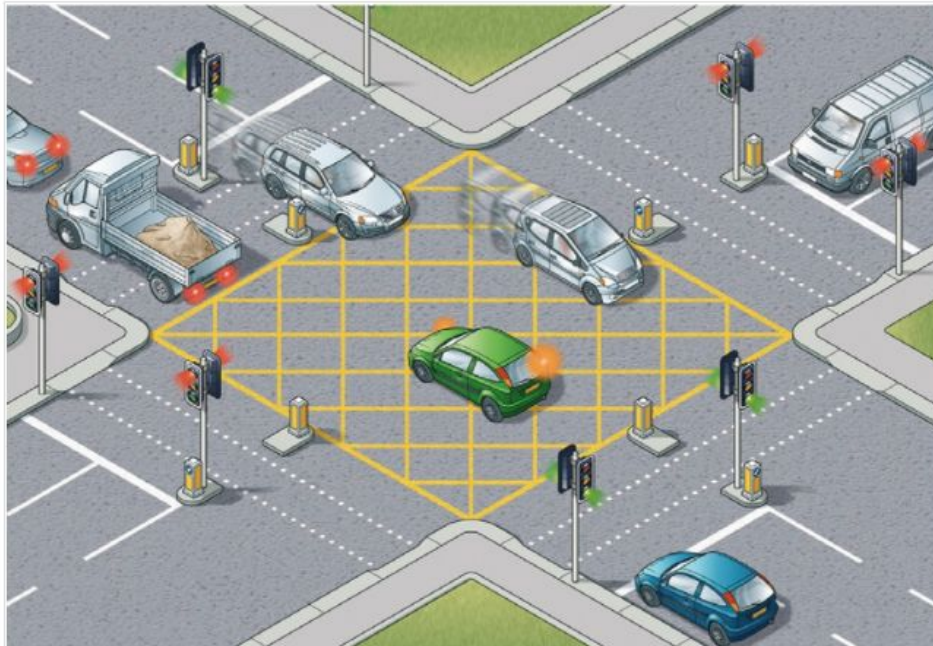
- (a) Drivers should only enter an intersection if both (1) their exit lane is clear and (2) their route to the exit lane is not blocked by other traffic inside the intersection (see for example UK Highway Code 174) to prevent causing a dangerous obstruction, sight hazards and conflicts within the intersection area.

- (b) Drivers must never stop within an intersection in such a way to block oncoming traffic, unless doing so is unavoidable to avoid a collision despite entering the intersection pursuant to (a).

To aid intersection safety, specific new road markings should be considered and introduced, for example the [box junction markings](#) found in other jurisdictions which clearly indicate to drivers that they should not stop within the intersection unless unavoidable, can and only enter it if their exit route is clear.

Box junctions. These have criss-cross yellow lines painted on the road ([download 'Road markings'](#)). You MUST NOT enter the box until your exit road or lane is clear. However, you may enter the box and wait when you want to turn right, and are only stopped from doing so by oncoming traffic, or by other vehicles waiting to turn right. At signalled roundabouts you MUST NOT enter the box unless you can cross over it completely without stopping.

Law TSRGD regs 10(1) & 29(2)



22 Entering intersection

Except when making a left or right turn, a driver must not drive into an intersection or onto a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the driver's vehicle or other conveyance without obstructing traffic if the driver is required to stop for any reason.

It is unclear why there is an exception here for drivers making a left or right turn? It would be very dangerous for a driver turning left or right to be permitted to obstruct traffic within an intersection. This would likely cause a collision between the driver and oncoming traffic (as very commonly seen in Nova Scotia) and could also cause danger for vulnerable road users.

Regulation 25: Yielding to traffic

Section 25 states a driver must yield to "any traffic in the intersection that is going by the driver's vehicle or other conveyance".

- (a) Does “going by” have the same definition as “go by”, defined in section 2? There is nothing which indicates it may have a specific meaning defined in section 2, for example capitalization. Ideally the fact it (I assume) refers to oncoming traffic should be specifically stated, to avoid confusion.
- (b) Although I understand “traffic” includes “conveyances”, which includes bicycles, bicycles should specifically be mentioned to ensure clarity for all road users, given intersections within HRM account for the majority of cycling incidents. People tend to assume “traffic” = vehicles only, and they may not search through two definitions to discover the term does include bicycles.

(d) Children

61 Speed limit in school areas

A legal requirement that requires drivers to make a very specific judgment regarding where children are situated is unlikely to be adhered to, and could be difficult to enforce:

For the purpose of subsection (3), a child is present in a school area when the child is outdoors and is in 1 of the following locations:

(a) on the highway in the school area;

(b) on land within 30 m of the centre line of the highway in the school area.

I like the fact that the presence of any child could trigger a lower and safe speed, but will any driver really see a child within 30 metres of the centre line of a highway? And will drivers be looking around them, aware of their need to obey this law? If not, what is its actual purpose?

Parents are very often frustrated and fearful of dangerous behaviour by drivers around schools including parking near school entrances and speeding, which they say is a persistent problem and rarely results in any enforcement, even when offences are reported. Clearly the police have many enforcement priorities and school zone speed enforcement may not always be one of them.

A [special report by the Transportation Research Board](#) notes:

“where low speeds are desirable, speed limits must be enforced, or alternatives such as traffic calming should be considered for certain residential streets”

Many countries and cities are moving towards lower speed limits that are permanent and apply at all times, for example outside schools, parks, residential areas and shopping streets.



These are supported with permanent infrastructure such as lane narrowing, pedestrian refuge islands, raised crosswalks or speed humps. This means safe speeds actually happen, consistently.

Edmonton’s approach of reducing speed during fixed hours in school zones that apply [every day including weekends](#) has been linked in research with [improved](#)

[speed limit compliance](#).

Given pedestrian injuries were recently reported as [the leading cause of death for children under 14 in Atlantic Canada](#), the life-saving and prioritizing approach of permanent lower speed limits within school zones would not rely on children being seen by drivers. This promotes safety and clarity for all road users, also reversing the disturbing trend in [hugely reduced walking and cycling trips to school](#).

This permanent 24/7 low speed approach to improving safety and driver compliance in school zones does not depend on a chance of children being seen by drivers, and a further chance that the driver may slow down as a result. This is the preferred approach to speed laws in school zones.

Thank you for reviewing this feedback. Nova Scotia has roads that have great potential to support all users. It also sees many road-users who show great courtesy to others, beyond what I have been accustomed to experiencing elsewhere. I look forward to enjoying roads which prioritize and consider the unique safety requirements of all users.

Best wishes

Martyn Williams