

# Provincial Committee

## 2011 Report

---

We started the year with Pro Bono law students working on collecting information about the treatment in legislation and court rulings across North America of key cycling issues;

- 3 foot rule / 1 meter clearance / position on the road
- Side by side riding / peloton riding
- Signage/ road marking / indicating who should be where on the road.
- Harassment of cyclists

In City consultation meetings, we were advised that the Manitoba Highway Traffic Act does not allow the City to lower the speed limit below 50 kph, so we added that issue to our top issues for change in the Highway Traffic act (see appendix 1).

In January, Jim Rondeau, Minister for Healthy Living, made a speech in which he spoke in favour of legislation making helmets compulsory for cyclists. We responded to that by sending an open letter to him, which copies to the media and the opposition (Appendix 2), suggesting there are far more effective options to improve safety and to enhance AT than asking the police to harass cyclists with tickets if they ride without a helmet! Specifically, we asked him to follow Nova Scotia's lead, and establish a "one meter law" that requires vehicles to allow a meter of clearance when they pass a bicycle.

The newspapers picked up the story, writing supportive articles, but the feedback to those articles on the WFP web site was a chilling documentation of how some drivers feel about cyclists on the road (see appendix 3). These attitudes are a current reality that we have to keep in mind in advocating for the safety of cyclists in Winnipeg.

In a subsequent conversation, Rondeau indicated that the political realities of making more room for cyclists on the road will require a step by step approach.

On Bike to Work day, we provided "1 Metre Please" bibs (see Appendix 4) to be distributed to the cyclists, hoping to create a visual impact with hundreds of these signs riding around town, but unfortunately, very few of them were successfully pinned on the backs of riders, so the effect was minimal. We have some of those signs left over to hand out at upcoming events.

Just before the election, the Government released the AT Advisory Group (ATAG) report with minimal PR support. We felt this suggested that the politicians did not feel this would be a popular issue, so we worked with other AT groups to raise the profile of the AT issues, ask for implementation of key ATAG recommendations, and push for addition of AT to CentrePort projects. We launched an e-mail campaign which allowed participants to send our message by e-mail to all provincial candidates. (Appendix 5)

The outlook is favourable. Political parties made positive promises about AT and the ATAG report. The NDP made a commitment to add AT to the reconstruction of the interchange at Hwy 59N and the perimeter. BTF will have to push for action on AT issues, both at the project level and at the policy/legislation level. We wrote a letter to Selinger asking for an immediate meeting, and for the designation of a minister responsible for AT, but only got an acknowledgement.

# Appendix 1

## Bike to the Future Recommendations for Highway Traffic Act Amendments:

---

- The rules in the HTA regarding bicycle traffic are unclear and adversely affect the safety of cyclists. Currently, cyclists run the risk of being hurt or killed in traffic, and many potential cyclists are deterred by unsafe conditions on Manitoba roads.
- We welcome the Government's intention to review the Act with respect to bicycles. Our goal is to significantly improve safety for cyclists and encourage more Manitobans to get around by bike.
- We believe it is vitally important that both commuter and recreational cyclists participate in bringing ideas forward in the review of the act in a collaborative process that goes beyond typical government consultation.
- In addition to the broader legislative review, we request immediate consideration of the following critically important legislative changes to deal with the most urgent safety issues:
  1. Require any vehicle to allow to a meter of clearance when overtaking a bicycle *[based on precedent in Nova Scotia and states with the "three foot rule"]*.
  2. Modify the rule regarding positioning of cyclists on the road to allow pelotons of 8 or more cyclists to fully occupy a lane where they can do so without significantly impeding traffic *[based on precedent in states where riding two abreast is permitted]*.
  3. Allow for speed limits in the city below 50 kph.
  4. Establish significant penalties for negligence that results in harm to cyclists.
- We also request that the Government move quickly to establish zero tolerance rules concerning the use of a vehicle to harass or intimidate cyclists.
- Finally, we recommend that, as effective new rules are implemented, the Government establish a program to develop a common understanding of the rules of the road among cyclists and motorists.

January 14, 2010

# Appendix 2



***Bike to the Future***  
*3<sup>rd</sup> Floor – 303 Portage Ave.*  
*Winnipeg MB*  
*R3B 2B4*  
[www.biketothefuture.org](http://www.biketothefuture.org)

Hon. Jim Rondsau  
Minister for Healthy Living  
Government of Manitoba  
Legislative Building  
Winnipeg, Manitoba

Dear Mr. Rondsau:

Your recently reported speech touching on legislating the use of helmets by cyclists has triggered a predictable flurry of controversy, even in the middle of winter!

Bicycles contribute to enhancing health living if people believe that they can safely and conveniently leave their car at home, and ride their bicycle to run errands, go to school, get to work, or just for fun.

We believe that, when government prepares legislation to make it safer and more attractive for all kinds of people to cycle, there are far more effective options than asking the police to harass cyclists with tickets if they ride without a helmet!

Nova Scotia has taken the lead in Canada in legislating what 13 states in the USA call the "3 foot law". In Nova Scotia, the "one meter law" requires that vehicles allow a meter of clearance when they pass a bicycle. Ontario is considering a similar rule. We believe Manitoba's first priority in improving cycling safety should be to immediately establish a "one meter rule". It will clarify the rules of the road, make cycling safer, and make it feel safer, which will encourage more people to choose to cycle for short distance trips, enjoying healthy exercise as they travel.

Yours sincerely,

---

# Appendix 3

---

Bike to the Future wrote a public letter to the Minister of Healthy living, recommending the Government enact a one metre rule, sending copies to the local newspapers. Readers sent in some 300 comments to newspaper web sites in response to the story. These comments show how some drivers think about sharing the road. A number of themes showed up in what they wrote:

Resentment of being held up by “slow moving traffic”

“So, at rush hour, the traffic is solid in both directions. Enter a cyclist hugging the very edge of the pavement. Traffic backs up for about 6 km because of one cyclist. Only a very small car, like a Smart car, can pass the cyclist safely. Anything larger, like a compact car, must stay behind the cyclist for about 8 km until there is room to pass.”

Cyclist safety is secondary to the rapid flow of traffic:

“If cyclists want a one meter clearance, the city is gonna have to build bigger roads. I'm sorry but when it's rush hour, and you've got wall to wall traffic jamming up the roads, pardon me, but there isn't a one meter clearance to spare. If these cyclists go out during the busiest times, they are taking a risk.”

Cyclists should ride on the sidewalk:

“I have no idea why you bike riders insist on the road when there are plenty of paved sidewalks in Winnipeg already and safer for you to be on the sidewalk then the road.”

Dismissal of cycling for transportation in the city:

“Keep the damn bikes off the road to begin with. Traffic in the city and on the highways is too busy and drivers shouldn't have to worry about these slow moving nuisances. Keep them to bike paths out of the way of drivers!! If these pedalists don't want to drive a car then use public transit. That's why we have it.”

“City government should work towards creating bicycle routes to take bicycles off of metro routes year around. The ideal rule, where we have adequate bike routes, is ‘no bicycles on metro routes’”.

Dismissal with a green spin:

“Let us make 10,000 cars on St Mary's Rd spend an extra 5 minutes a day idling and going slow, 50,000 minutes of vehicle exhaust, so that 3 cyclists can get their thrills cycling in February.”

Dismissal of cycling for winter transportation in the city:

“Honestly 1-meter rule on the highway just makes sense for the cyclist's safety. But there should be a law to STOP BIKING IN WINTER. It's ridiculous to see bikers on the street in winter, it's unbelievably dangerous, if they fell due to snow or slippery roads and the car behind them couldn't stop on time...”

The expectation that the alternative to cycling is a bus, rather than another car or truck:

“the streets are not plowed wide enough to accommodate the bikers in winter, wise up, get off the road and take a bloody bus!!!”

“STAY OFF THE ROADS IN THE WINTER that's why we have transit YOU PEOPLE HAVE A DEATH WISH .”

Resentment of having to pass a bicycle that got past when traffic was stopped

“I find it unnerving when I safely pass a bike, waiting for oncoming traffic to clear so I can give them a clear buffer... and am thanked by them riding past me at a light, having to repeat the process over again.”

The feeling that cyclists should be licensed and insured like cars and trucks:

“Simple solution, if cyclists want to have a say on the rules of the road, they should get licensed and pay insurance since they are bound to be the cause of some accidents. That way they can also be charged and have their license revoked when they do break the rules.”

Willingness to threaten cyclists

“Don't keep passing on the right of cars at red lights and cause me to pass over and over. You follow the laws I share the road.”

“They have the gall to ask for this but refuse a law to wear helmets??? Hypocrites, plain and simple. You'll be lucky to get 10cm from me...”

These comments don't represent the views of Winnipeggers in general, they represent the views of people who have the time and inclination to write a comment on a newspaper's web site about vehicles and bicycles sharing the road. However, they demonstrate what some people think the rules are – or should be, and make it evident that Winnipeg has a long way to go before cyclists are welcomed and safe on the road.

# Appendix 4

---



# Appendix 5

---

## Bike to the Future E-mail Campaign Report:

Manitoba's political parties made some important commitments to active transportation during this election campaign, but we were concerned that there was not enough talk about Active Transportation as an important policy issue in the campaign, and some of the senior candidates did not seem to be familiar with the key Active Transportation issues.

We therefore launched a non-partisan campaign asking our supporters to send form letter e-mail messages to over 100 candidates in the Winnipeg region and the major political party headquarters, asking for commitments to implement key recommendations of the Provincial Active Transportation Advisory Group report, and to act immediately to include AT in construction projects such as those related to CentrePort.

We sent the campaign to our announce list (n=1523) on September 29th, asking supporters to fill out a form to send the e-mails to candidates. We also asked them to forward the campaign to their cycling friends. People acted quickly:

Date	Responses
Thu 29-Sep-11	61
Fri 30-Sep-11	105
Sat 01-Oct-11	9
Sun 02-Oct-11	10
Mon 03-Oct-11	13
<b>Grand Total</b>	<b>198</b>

On October 4th, we closed the campaign.

The response rate was highest in neighbourhoods such as Wolseley, River Heights, Crescentwood and Osborne (calculated as the number of responses per household in the postal FSA). This probably reflects the geographic distribution of the people on our announce list.

Six candidates took the time to tell us how they felt about improving cycling and walking conditions. Their comments were published on the BttF website. Five candidates sent us very positive statements about promoting active transportation. One was negative.

A few candidates complained about the inconvenience of receiving many e-mails with the same message. These candidates generally had little or no campaign experience or campaign staff. We did not hear concerns from any of the big players.