

April, 2022

Volume 1, Issue 5

Advocating
for
safe
cycling
throughout
Durham
Region

A Message from our President – Ron Lalonde

Welcome everyone to our latest Newsletter.

I am very honored to have been elected your new President / Executive Director. Our commitment to safe cycling advocacy work remains. I believe we have much to accomplish and working with our newly elected volunteers, see page 2, we will enjoy similar successes as over the past seven years.

With the warmer days of spring now upon us, I would like to remind every-one of the importance of a few safe cycling habits as you head out on your bike. Always remain *ALERT* and *AWARE* of the conditions at hand; be highly *VISIBLE* by wearing bright clothing; always assume a vehicle driver has not seen you and leave the earbuds at home.

Also, June is Bike Month. Stay tuned for more information.

Ride safe, follow the rules of the road and enjoy your riding. For additional safe cycling information, please visit our website.

UPDATES

Ontario Shores Gate on the Waterfront Trail



After almost two years of asking, in January we received word from the Town of Whitby that they “intend” to modify the gate design.

Although no date has been provided, DRCC remains committed to pursuing this safe cycling issue to conclusion in the ‘current year”

The time for action is now Town of Whitby

York / Durham Line Construction

Last year, DRCC took note of the proposed Region of Durham construction project involving York Durham Line Rd 30 between Aurora Rd and Wagg Rd. After consultation with the Region, design modifications have been incorporated which will greatly improve the safety of cyclists on this busy section of road.

Work is scheduled to begin in 2022 with a full road closure anticipated for approximately eight weeks. As the location is a connector route for many cyclists, a reasonable detour route for cyclists is not an option. Recognizing this, we ask for your patience as the work progresses with the end result being a significant safety improvement in support of safe cycling.

OTHER NEWS

Board of Directors and Officers

At the AGM, held virtually on November 4, 2021, a new Board of Directors was elected but there were no nominations for President/Executive Director. Subsequent to the meeting the Board elected Ron Lalonde to the Board and to the office of President/Executive Director.

In January this year the board member for the Uxbridge Cycling Club, Ann-Marie Thompson, tendered her resignation. We wish Ann-Marie the very best for the future and thank her for her past services to DRCC.

Ann-Marie's position has been filled by Kevin McConomy. Governance now consists of:

Board of Directors:

Bob Astley (Chairman) for Clarington Cycling Club;

Rick Harrington for Oshawa Cycling Club;

Ron Lalonde; Associate Member;

Derek Lee for Durham Cycling Club;

Bruce MacDonald for Durham Mountain Biking Association;

Kevin McConomy for Uxbridge Cycling Club.

Corporate Officers:

President and Executive Director – Ron Lalonde;

Secretary – Rick Harrington;

Treasurer – Derek Lee.

Multi-Use Paths (MUPs)

We are seeing more and more municipalities opting for MUPs as a way of separating cyclists from vehicular traffic. Unfortunately, we now have pedestrian/cyclist conflicts to contend with on these shared paths.

We have been advocating to municipalities that they adopt a minimum MUP width of 4.0 m and provide lane markings as well as providing cross rides at road and business entrance crossings.



Recent MUPs and Trail Upgrades

New and upgrades include:

- MUP on Bayly St in Ajax between Saleem Rd and Harwood Ave;
- MUP on Taunton Rd in Oshawa from Northbrook St to Sommerville Ave;
- MUP on Bloor St in Oshawa from Townline Rd to Prestonvale Rd;
- MUP Garden St north of Dryden Blvd to Taunton Rd;
- MUP on Rossland Rd west of Brock St to Cochrane Rd Whitby;
- MUP extension on Victoria Ave from Brock St to South Blair St. Whitby;
- Separated signalized Cross Ride Victoria / Brock intersection Whitby;
- MUP Extension with Cross Rides Simcoe St north of Conlin to Winchester Oshawa
- MUP Thornton Rd King St (approximate) to Rossland Rd Oshawa
- New trail linking the Bowmanville Valley Trail to the Waterfront Trail;
- 1.4 km upgrade to the Waterfront Trail in Bowmanville

New Stop Sign in Ashburn

Ashburn Rd is a popular route for cyclists and as of last December there is an all-way stop sign at Ashburn Rd and Myrtle Rd. This will make crossing Myrtle Rd much safer though be on the watch out for motorists missing the sign.

Harwood Avenue Bike Lane Removal

The Town of Ajax created quite a furor with in the cycling community when council voted to remove the existing bike lanes on lower Harwood Ave and reinstate traffic lanes. Letters from DRCC, two of our bike clubs and individual cyclists to the Town caused a rethink. The Town has now embarked on a revised design that is an MUP from Bayly St to Lake Driveway on one side of Harwood Ave only. The traffic lanes go back and the future bicycle lanes on both sides of Harwood Ave north of Dreyer Dr, shown in the Town's Integrated Transportation Master Plan, will be deleted.

The new design will be available for public comment sometime in 2023.

Waterfront Trail Closure

The Regions of York and Durham have announced upgrade work to the Duffin Creek Water Pollution Plant in Pickering. This will necessitate the temporary closure of the Waterfront Trail from Montgomery Park Rd to Frisco Rd. Detour maps will be posted on the trail at either end of the closure.



NOTICE OF CONSTRUCTION FOR WATERFRONT TRAIL AND FRISCO RD



The extent of construction work is shown on the map. Partial and complete closure of Frisco Road and the Waterfront Trail will be required at different times to complete the work. Details and regular updates of closures and detours can be found at the following website: durham.ca/WaterfrontTrailProject

Construction signs with closure and detour information will also be posted ahead of closures.



Federal Funding for Active Transportation

The Federal Government's Active Transportation Funding application portal opened for submissions on January 27, 2022 with a closing date of March 31, 2022. We wrote to the Region and all the regional municipalities advising them of the limited timeline to apply for the grants. Not everyone acknowledged our letter but we remain hopeful that all the municipalities and Region will avail themselves of the opportunity to move forward with new or upgraded cycling infrastructure.

Dagmar Forest Entrance on Lake Ridge Rd



Dagmar Forest Entrance Looking North

Over the last number of years, we have been lobbying the Region to include a safe entrance into Dagmar Forest from Lake Ridge Rd which was coming up for reconstruction. Each time the Region insisted that, due to the limited sight lines, an entrance to Dagmar Forest was not possible as well as being costly to remediate.

The Region continued to move forward and completed the detailed design ready for construction this year.

One last appeal to the Region has resulted in the Region at last undertaking a cost study for re-grading the road to improve the sight lines. Something that was not done at the design stage.

We are now awaiting the outcome.

Cycling and the Law

It is not always easy to interpretate the law as it applies to cyclists so we carried a layman's review of the Highway Traffic Act looking at each section of the Act that mentioned cyclists, cycling, bicyclist etc. In addition, we looked at the Ontario Court of Justice, Schedule 43 for the set fines for cycling infractions.

The summary of our findings is included in Appendix A.

Conlin Rd/Garrard Rd Safety Issues

We are witnessing an increase in truck traffic in the Conlin Rd/Garrard Rd area due to two new warehouse construction projects and the proximity of the Region's recycling facility on Garrard Rd. Both Conlin Rd and Garrard Rd are popular cycling routes with rural paved shoulders.

In November last year we wrote to the Town of Whitby deploring the amount of mud and debris on the shoulders from the construction traffic and reminding the Town of the recent, near fatal collision on Garrard when a truck exiting the recycling facility failed to see a cyclist and struck the cyclist sending the person into a ditch.

The Town responded immediately and an on-site meeting was held with Town staff and representatives from DRCC. This resulted in an immediate clean-up of the road and drivers being made aware of the cycling traffic on both roads.

Moving forward, this section of road is scheduled for major improvements this year which may entail a full closure. DRCC remains involved and will provide updates including possible detours as information becomes available.

Spring in Durham

Do you know the location of this photo?

Clue - It's on a popular Durham Cycle Route

Send us your answer; info@durhamsafecycling.ca



Answer to follow in our fall edition.





Contact Information:

Web site <https://durhamsafecycling.ca>

We're Social

Twitter 

Facebook 

Instagram 

Become a Member

If you belong to one of our six supporting clubs you are a DRCC *Affiliate Member*.

We also welcome non-cycling club cyclists looking to support our advocacy work.

You can join DRCC as an *Associate Member* for the low annual fee of \$10.00. Simply send an e-mail to: info@durhamsafecycling.ca and we will provide an application form.

We welcome comments and suggestions or, would you like to volunteer your services? You may contact us via e-mail or social media as noted above.

APPENDIX A

A Review of Current Laws, Regulations and Practices for Bicycles and Cyclists

January 2022

INTRODUCTION

Sometimes it is difficult to comprehend all the “Rules of the Road” as they apply to cyclists and their bicycles given the governing laws and by-laws in Ontario and the recommendations of government organizations and cycling bodies.

The following summary is an attempt to highlight the specific references within the various Acts, Regulations and other agencies pertaining to bicycles and cyclists. It is not a legal interpretation of the Laws. For that, one would have to refer to a legal professional.

HIGHWAY TRAFFIC ACT R.S.O. 1990, CHAPTER H.8

The Highway Traffic Act applies to roads and highways. Cycling on off-road trails, multi-use paths and sidewalks is governed by the by-laws of a region, city or local municipality which can vary from one jurisdiction to another.

Section 1, Interpretation, General Definitions

A bicycle, motor assisted bicycle and power-assisted bicycle are defined.

A motor vehicle includes an automobile, a motor cycle and motor assisted bicycle.

A motor cycle includes a motor scooter but not a motor assisted bicycle.

A bicycle includes a power-assisted bicycle commonly referred to as an e-bike.

All the above are included in the definition of a *vehicle*, which is referred to throughout the Act.

Section 38, Minimum Age to Drive a Motor Assisted or Power Assisted Bicycle

No one under the age of 16 is allowed to operate a motor or power-assisted bicycle on a highway. The owner of these vehicles shall not permit anyone under the age of 16 to operate the vehicles on a highway. *Comment: A municipality would have to pass a by-law for restrictions on trails and Multi Use Paths (MUPs).*

Section 62, Subsection (17) Lights and Reflectors on a Bicycle

Between half an hour before sunset and half an hour after sunrise a white or amber front light and a red rear light (or reflector) is required. In addition, white reflective material is required on the front forks and red reflective material is required on the rear forks. *Comment: the size of a red reflector is given as 250 mm long by 25 mm wide. No size is specified for the front reflector nor is the location of each reflector on a fork. New bicycles are often equipped with reflectors fixed to the spokes of each wheel the purpose being to make a bicycle visible a night when crossing the path of a vehicle.*

A flashing, red rear light is permissible.

Section 64, Brakes

A motor assisted bicycle and a power-assisted bicycle shall have both a front and rear brake

A bicycle shall have at least one brake that acts on the rear wheel and can cause that wheel to skid. *Comment: a fixed wheel cannot cause the rear wheel to skid.*

Section 75, Subsection (5) Alarm Bell to be Sounded

A bicycle shall be equipped with an alarm bell, gong or horn, which shall be kept in good working order and sounded whenever it is reasonably necessary to notify pedestrians or others of its approach.

Section 103, Power-Assisted Bicycles. Equipment Requirements

A helmet must be worn when riding a power-assisted bicycle on a highway.

Section 104, Subsection (2.1) Bicyclists to Wear a Helmet

An approved safety helmet, correctly fitted, is required when riding on a highway. *Comment: There is no exemption for persons of any age.*

Section 130, Careless Driving

A person found guilty of driving a vehicle (includes a bicycle and power-assisted bicycle) carelessly and without due care and attention is guilty of an offense and subject to a fine and/or imprisonment.

Section 140, Pedestrian Crossover

Bicycles (includes power-assisted bicycles) may not be ridden within a crosswalk. *Comment: The Region and municipalities are now installing cross rides to accommodate both pedestrians and cyclists.*

Section 141, Subsection (5), Right Turn Signal

A cyclist may signal a right turn by extending the right arm horizontally.

Section 147, Slow Vehicles to Travel on Right Side

Slow moving vehicles shall travel as close as practicable to the right-hand curb or edge of the roadway. *Comment: for cyclists, riding 1.0 m from the curb is considered safe to avoid catch basin covers and roadside debris, etc. However, vehicles may not appreciate this and not provide the requisite 1.0 m passing clearance.*

Section 148, Overtaking and Passing Rules

(4) Vehicles meeting bicycles. Vehicles overtaking cyclists shall provide sufficient room to safely pass.

(6) Bicycles overtaken. When being overtaken, cyclists shall stay to the right. The vehicle that is overtaking is required to stay as far to the left as necessary to avoid a collision.

(6.1) A motor vehicle overtaking a cyclist shall, as nearly as may be practicable, leave a distance of not less than 1.0 m between the bicycle and the motor vehicle and shall maintain that distance until safely past the bicycle. *Comment: vehicles towing trailers are to ensure that the trailers have fully passed a cyclist before moving over. Sometimes, drivers misjudge the length of the trailer and move over too soon.*

(6.2) The 1.0 m distance required by subsection (6.1) refers to the distance between the extreme right side of the motor vehicle and the extreme left side of the bicycle, including all projections and attachments. *Comment: some pick-up truck drivers with extended side mirrors often overlook this requirement.*

Section 153, Highway Designated for One-way Traffic

(3) Bicycles may be ridden or operated on the paved shoulder of a highway.

Section 218, Cyclist to Identify Self

A police officer may ask a cyclist to provide identification. *Comment: a verbal identification can be provided. It is not necessary to produce your driving license. However, it would be prudent to carry a photo copy of your health card in case of a medical emergency.*

SCHEDULE OF FINES

The Ontario Court of Justice has established various Schedules that detail set fines for infractions to the laws of Ontario. Infractions to the Highway Traffic Act are given in Schedule 43.

The table below shows the set fines applicable to the most common cycling infractions according to Schedule 43. There are many other infractions that apply to all vehicles (which includes a bicycle) that have not been listed. They can be viewed in Schedule 43 on the Ontario Court of Justice website: <https://www.ontariocourts.ca>

Summary of Most Common Cycling Violations per Schedule 43

Offence	HTA Section	Set Fine
Improper bicycle lighting	62(17)	\$85
Improper brakes on bicycle	64(3)	\$85
No horn or defective horn (gong or bell) on a bicycle	75(5)	\$85
Fail to wear proper helmet on power-assisted bicycle	103.1(2)	\$85
Fail to wear a proper helmet on a bicycle	104(2.1)	\$60
Permit person under 16 not wearing proper helmet on bicycle	104(2.2)	\$60
Careless driving	130(1)	\$400
Disobey stop sign – fail to stop (in a community safety zone fine is \$150)	136(1) (a)	\$85
Fail to yield – yield sign (in a community safety zone fine is \$150)	138(1)	\$85
Cyclist – ride in crossover	140(6) 144(29)	\$85
Fail to signal – lane change (in a community safety zone fine is \$120)	142(1)	\$85
Fail to yield to pedestrian (in a community safety zone fine is \$600)	144(7)	\$300
Proceed contrary to sign at intersection (in a community safety zone fine is \$120)	144(9)	\$85
Cyclist – disobey lane light (in a community safety zone fine is \$120)	144(10) (a)	\$85
Cyclist – fail to stop	218(2)	\$85
Cyclist – fail to identify self	218(2)	\$85

Demerit Points, Section 56 of the HTA, is applicable to motor vehicles which does not include bicycles or power-assisted bicycles. Therefore, demerit points are not assigned for cycling infractions.

MINISTRY OF TRANSPORTATION ONTARIO (MTO)

E-bike Clarification

There has been a great deal of controversy regarding the definition of e-bikes referred to in the HTA as power-assisted bicycles. Following consultations with various stakeholders MTO will propose changes to the HTA to clearly define the categories of power-assisted bicycles (e-bikes) as follows:

Type 1: traditional bicycle-style e-bikes. Typically, any regular style bicycle fitted with an electric motor. Key features include:

Total weight no greater than 120 kg;

Wheel diameter not less than 350 mm;

A front and rear brake independently operated;

Maximum speed not greater than 32 km/h;

Motor power output not to exceed 500 W;

Fitted at all times with operable pedals;

Minimum operator age 14 years. *Comment: The HTA Section 38 requires a minimum age of 16 to operate a power-assisted bicycle on a highway.*

Helmets required if under the age of 18. *Comment: The HTA Section 103 requires a helmet to be worn by any age when operating a power-assisted bicycle on a highway.*

Type 2: moped-style e-bikes. Having the appearance of a motor scooter with a seat and an open frame that may be stepped through and a platform on which the rider's feet may rest. Key features are the same as for Type 1 except the total weight is increased to not greater than 120 kg and the minimum operator age raised to 16 years.

Type 3: motorcycle-style e-bikes have the appearance of a motorcycle, with a saddle designed to be straddled and a footrest, pedals or pegs where the rider's feet may remain secure. Key features are the same as for Type 2.

All three classes of e-bikes would continue to be treated as bicycles (i.e., would not need to be registered or insured, operators would not require a licence).

The above definitions, if adopted, will help municipalities determine which type of e-bike would be allowed on municipal trails and MUPs.

CYCLING SKILLS - Ontario's Guide to Safe Cycling

This booklet, <https://files.ontario.ca/mto-young-cycling-skills-en-2021-09-16.pdf>, put out by MTO, covers many areas of cycling on public roads. Directed mainly at the beginner cyclist it does contain useful guidance for all levels of cyclists.

ONTARIO CYCLING ASSOCIATION (OSA)

The OSA, the governing body for sport cycling in Ontario, has a link (<https://ontariocycling.org/about-ontario-cycling/forms-literature/>) on its website to a 2014 slideshow presented by Sasha Gollish of the Morning Glory Cycling Club. The slide show "Cycling and The Highway Traffic Act" reviews the laws applicable to cyclist as well as providing guidance for safe cycling practices on the road. Although some of the content may now be out-of-date it does provide another perspective on cycling in Ontario.