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**Item No. 2**  
**Transportation Standing Committee**  
**June 22, 2017**

**TO:** Chair and Members of the Transportation Standing Committee

Original Signed

**SUBMITTED BY:**

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Bruce Zvaniga, P.Eng., Director, Transportation and Public Works

**DATE:** April 7, 2017

**SUBJECT:** Transportation Association of Canada Standards

**INFORMATION REPORT**

**ORIGIN**

Item 15.1 of the January 26, 2017, meeting of the Transportation Standing Committee.

MOVED by Councillor Nicoll, seconded by Councillor Cleary THAT the Transportation Standing Committee request a staff report identifying the differences in the Nova Scotia Motor Vehicle Act in the context of HRM using national standards such as Transportation Association of Canada (TAC) standards specifically with respect to crosswalk & traffic signals.

MOTION PUT AND PASSED

**LEGISLATIVE AUTHORITY**

Halifax Regional Municipality Charter, Part XII, subsection 321(8), "The Traffic Authority for the Municipality has, with respect to highways in the Municipality, excluding those for which the Provincial Traffic Authority has authority, the powers conferred upon a traffic authority by or pursuant to the Motor Vehicle Act."

Nova Scotia Motor Vehicle Act, Part V, subsection 89(1), "Subject to such authority as may be vested in the Minister, the Registrar or the Department, traffic authorities in regard to highways under their respective authority may cause appropriate signs to be erected and maintained designating business and residence districts and railway grade crossings and such other signs, markings and traffic control signals as may be deemed necessary to direct and regulate traffic and to carry out the provisions of this Act."

## **BACKGROUND**

During the January 26, 2017, meeting of the Transportation Standing Committee, a discussion about the relationship between the Nova Scotia Motor Vehicle Act (MVA) and guidelines published by the Transportation Association of Canada, resulted in general questions as to how the different documents apply to the Municipality and specifically how they impact the installation of marked crosswalks and traffic signals as well as rules pertaining to pedestrian movement on HRM roadways.

## **DISCUSSION**

The MVA is the Provincial legislation governing public roadways within the Province of Nova Scotia. The document provides the legal framework under which road users must operate when accessing and travelling on public roads, or more simply, outlines the “rules of the road” (i.e., what a green traffic signal means, right of way at intersections and/or crosswalks, etc.). Also contained within the MVA are the penalties associated with non-compliance of any of the statutes outlined by the legislation.

The MVA provides jurisdictions within the Province the ability to install various devices (pavement markings, signs and traffic signals) in order to control and regulate traffic. In order to maintain consistency across the Province, the MVA also includes regulations which specify the size, shape, colour, messaging, etc. of regulatory signs which must be followed in order for such signs to be official and enforceable once installed.

Provincial legislation across the country basically does the same thing in each jurisdiction. It provides definitions of what various features and terms related to the road network are (i.e., crosswalks, sidewalks, traffic signals, vehicles, intersections, etc.) and lays out rules about what a user, can and can't do. Legislation is also quite consistent across the country. For example, all provinces, with the exception of Quebec, provide a definition of a crosswalk which includes the existence of unmarked crosswalks. All provinces include provision for vehicles to yield the right of way to pedestrians within crosswalks (marked or unmarked). Nova Scotia is unique in its application of pedestrian right of way, in that includes:

***“the driver of a vehicle shall yield the right of way to a pedestrian lawfully within a crosswalk or stopped facing a crosswalk”***

The MVA does not provide direction as to the decision making process used to determine when a particular traffic control device can or should be installed (i.e., marked crosswalks or traffic signals). Typically these decisions are made by the local Traffic Authorities who are charged with operating the roadway network within a particular jurisdiction. As such, those implementing various measures do so through assessment of local conditions and application of best practices based on previous experience and guidance obtained from various manuals and guides. The Transportation Association of Canada (TAC) promotes safety and uniformity for transportation networks across the country by undertaking various projects and studies nationwide to produce guides and manuals used by traffic and transportation practitioners across Canada. For example, one of the documents produced by TAC is the Manual of Uniform Traffic Control Devices for Canada (MUTCDC) which provides guidance on the appearance and application of traffic signage, pavement markings and traffic signals. This document is specifically referred to in the Traffic Signs Regulations made under the MVA and most jurisdictions across Canada have either adopted this manual or created their own manuals based on it. HRM's own Municipal Service System Guidelines (aka “Red Book”) has portions of its content based on TAC documents (Geometric Design Guidelines for Canadian Roads).

Use of the manuals and guides produced by TAC provides practitioners with guidance to help make decisions on the application of traffic control measures based on best practices and previous experience. This results in a consistent approach both locally and across the country, meaning road users can easily understand traffic controls in all Canadian jurisdictions.

The major difference between the MVA and TAC documents is that the MVA regulates whereas TAC documents provide guidance. The guidance provided by TAC, in many instances, creates a starting point or methodology that can be adapted or adjusted to suit local experience if required. Other than use of the MUTCDC for signage applications, because of the specific reference in the MVA regulations, there is no requirement for HRM to use the guides produced by TAC. Staff has, in the past, and currently does make use of other guides for various applications. The National Association of City Transportation Officials, (NACTO), [nacto.org](http://nacto.org), guide has recently come to be referenced for items concerning roadway design, the Geometric Design Manual for Ontario Highways has been used for some time when assessing locations for the need for left-turn lanes and even the Ohio State Department of Transportation design guide has been used when making assessments for right-turn lanes. Staff will make use of various guides and manuals when making decisions related to HRM roadways. TAC documentation, [www.tac-atc.ca](http://www.tac-atc.ca), is in many cases the preferred source since the research is based primarily on Canadian jurisdictions and HRM typically participates and provides input into the research.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

### **COMMUNITY ENGAGEMENT**

Community engagement was not conducted as this report provides information in response to questions raised by members of the Transportation Standing Committee.

### **ATTACHMENTS**

None

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A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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