



The LEA+DRS Program

Results-Based Traffic Safety for Red Deer Road Users

BICYCLING SAFETY 1: CROSSWALK AND SIDEWALK RIDING

During the last three calendar years, there were 34 motor vehicle-bicyclist collisions in Red Deer during which 34 bicyclists were injured. In 20 cases, the bicyclist was at fault; in 9 cases, a motor vehicle driver was at fault; in 5 cases, the at-fault person was not indicated.

Red Deer's rate for bicycling injuries in 2011 and 2012 was 14 persons/100,000 population. That was midway between Calgary's (11/100,000) and Edmonton's (21/100,000).

The injured Red Deer bicyclists were mostly male (21 out of 34) and in the 15 to 44 age group (7 were under 15 years old, 8 were 15 to 24 years old; 15 were 25 to 44 years old; 2 were 45 to 64 years old; 2 were 65+ years old).

At least one-half of the bicyclists were not wearing a helmet. (All 7 youngsters were.) About 20% of the 34 injured, including all 7 persons under 15 years of age, would not be expected to be familiar with the Rules of the Road.

In 15 of the 20 cases where the bicyclist was at fault and in the majority of the cases involving bicyclists under 15 years of age, the error was riding across a crosswalk or riding on a sidewalk. It seems that many bicyclists (and skateboarders, joggers, rollerbladers, etc.) do not realize that **provincial legislation does not recognize bicyclists (or skateboarders, joggers, rollerbladers, etc.) as being authorized users of crosswalks or sidewalks**. Consequently bicyclists, etc., may not recognize the danger in bicycling (or skateboarding, jogging, rollerblading, etc.) on crosswalks and sidewalks.

When a collision between a moving motor vehicle and a person on a crosswalk or sidewalk occurs, determining who was at fault may involve the following paraphrased sections of the Use of Highway and Rules of the Road Regulation:

- Section 36(3) requires the driver to stop a vehicle that is emerging from an alley or driveway before driving onto a sidewalk, or a vehicle crossway over a sidewalk, and yield to any pedestrian on the sidewalk and, where the vehicle is entering an alley or driveway, to yield to any pedestrian on the sidewalk or on the vehicle crossway over the sidewalk.
- Section 41(1) requires the driver of a vehicle to yield the right of way to a pedestrian crossing the roadway within a crosswalk.
- Section 41(4) requires a person driving a vehicle to exercise due care for the safety of pedestrians.
- Section 91(2) prohibits a pedestrian from proceeding onto a roadway into the path of any vehicle that is so close that it is impracticable for the driver of the vehicle to yield the right of way.
- Section 93(2) requires a pedestrian to exercise due care for the pedestrian's own safety.

Consequently, if a person proceeds along a sidewalk or onto a crosswalk and collides with a motor vehicle such that

- it was impracticable for the driver of the vehicle to yield the right of way
- the person proceeding along a sidewalk or onto a crosswalk did not exercise due care for his or her own safety,

then it is likely that the person proceeding along the sidewalk or onto the crosswalk will be deemed to be the person at fault. If the person was bicycling, rollerblading, etc., rather than walking, then the vehicle driver becomes less able to yield the right of way and the likelihood of the bicyclist, etc., being found to be at fault rises correspondingly.

A suggested approach for bicyclists, skateboarders, etc., to apply when about to proceed across crosswalks or on sidewalks is to scan thoroughly for other crosswalk, sidewalk and roadway users and to always be prepared to yield to them.

A public safety issue arises because there is no person or organization in Red Deer, as well as many other places, whose role includes informing bicyclists (and skateboarders, joggers, etc.) about the safe use of crosswalks and sidewalks. If there is a person or organization in your community that has that function, please email contact information to Doug.Taylor@leadrs.ca.

Thank you,
Doug Taylor