

## **STREETS AND TRAFFIC (SKATEBOARDING) AMENDMENT BYLAW**

### **A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to remove the current prohibition against the use of skateboards and other similar modes of transportation on highways within the downtown core, to revoke the authority to impound skateboards and other similar modes of transportation being used in the downtown core, and to establish rules governing the use of skateboards and other similar modes of transportation on highways throughout the city.

Under its statutory powers, including section 124 of the *Motor Vehicle Act* and sections 36 and 260 to 273 of the *Community Charter*, the Council of the Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

#### **Title**

- 1 This Bylaw may be cited as the “Streets and Traffic (Skateboarding) Amendment Bylaw.”

#### **Amendments**

- 2 Bylaw No. 09-079, the Streets and Traffic Bylaw, is amended

- (a) by repealing the definition of “human powered device” in section 4,
- (b) by adding the following section immediately after section 43:

#### **“Skating provisions**

- 43A (1) Subject to the applicable provisions of the *Motor Vehicle Act* and its regulations and in addition to the duties imposed by this Bylaw, a person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway has the same rights and duties as a driver of a vehicle.
- (2) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway
- (a) must not, for the purpose of crossing a highway, use the device on a crosswalk unless
    - (i) authorized to do so by a bylaw,
    - (ii) directed to do so by a sign, or
    - (iii) entering or leaving a multi-use trail on a crosswalk linking portions of the trail to one another or to a highway,
  - (b) must, subject to section 115(1), use the device as near as practicable to the right side of the highway,

- (c) must not use the device abreast of another person using a cycle, skateboard, roller skates, in-line skates, or a non-motorized scooter on the highway,
  - (d) if the device is a skateboard or non-motorized scooter, must keep at least one foot on the skateboard or non-motorized scooter,
  - (e) must not carry a passenger on the device, and
  - (f) must not use the device on a highway where signs prohibit the device's use.
- (3) Nothing in subsection (2)(b) requires a person to use a skateboard, roller skates, in-line skates, or a non-motorized scooter on any part of a highway that is not paved.
- (4) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway who intends to turn left at an intersection where there is more than one lane from which left turns are permitted must
- (a) approach the intersection in the lane closest to the right side of the highway from which a left turn is permitted,
  - (b) keep to the right of the line that divides the lane referred to in paragraph (a) from the lane immediately to the left of that lane,
  - (c) after entering the intersection, turn to the left so that the device will leave the intersection to the right of the line referred to in paragraph (b), and
  - (d) when practicable, turn in the portion of the intersection to the left of the centre of the intersection.
- (5) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway between 1/2 hour after sunset and 1/2 hour before sunrise must wear the following equipment:
- (a) a lighted lamp on the person's front and under normal atmospheric conditions capable of displaying a white light visible at least 150 m in the direction the person is pointed;
  - (b) a red reflector of a make or design approved by the Insurance Corporation of British Columbia for the purposes of section 183(6)(b) of the *Motor Vehicle Act*;
  - (c) a lighted lamp, visible to the rear, displaying a red light.
- (6) If an accident occurs by which a person or property is injured, directly or indirectly, owing to the use of a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway or

a sidewalk, the person using the skateboard, roller skates, in-line skates, or a non-motorized scooter must

- (a) remain at or immediately return to the scene of the accident,
  - (b) render all possible assistance, and
  - (c) give to anyone sustaining loss or injury the person's name and address.
- (7) A person must not use a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway without due care and attention or without reasonable consideration for other persons using the highway.
- (8) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway must signify
  - (a) a left turn by extending the person's left hand and arm horizontally,
  - (b) a right turn by doing either of the following:
    - (i) extending the person's left hand and arm out and upward so that the upper and lower parts of the arm are at right angles;
    - (ii) extending the person's right hand and arm horizontally, and
  - (c) a stop or decrease in speed by extending the person's left hand and arm out and down.”,
- (c) by repealing section 115(1) and substituting the following:
  - “(1) A person must not use a skateboard, roller skates, in-line skates, or a non-motorized scooter on a sidewalk unless
    - (a) permitted to do so by a sign, and
    - (b) the person exercises due care and attention and reasonable consideration for other persons using the sidewalk.”,
- (d) by repealing section 115(2) and substituting the following:
  - “(2) A person must not use a skateboard, roller skates, in-line skates, or a non-motorized scooter on a street or path in a public place where signs are displayed stating that the street or path is for pedestrian use only.”,
- (e) by repealing sections 115(3) and (4), and
- (f) by repealing Schedule H and substituting the Schedule H attached to this Bylaw as Schedule 1.

**Effective date**

3      This Bylaw comes into force on February 1, 2016.

READ A FIRST TIME the	<b>14<sup>th</sup></b>	day of	<b>January</b>	2016
READ A SECOND TIME the	<b>14<sup>th</sup></b>	day of	<b>January</b>	2016
READ A THIRD TIME the	<b>14<sup>th</sup></b>	day of	<b>January</b>	2016
ADOPTED on the		day of		2016

CORPORATE ADMINISTRATOR

MAYOR

**Schedule 1****SCHEDULE H****Detention, removal and impoundment fees**

1. The detention and removal fees, shown in the second column of the following table, that correspond to the weight or type of the item shown in the first column, are payable under subsection 102(4) of this bylaw:

<u>Weight or Type</u>	<u>Detention &amp; Removal Fee</u>
65 kg or less	\$25.00 for a first detention or removal  \$100.00 for a second or subsequent detention or removal
over 65 kg	\$40.00 for a first detention or removal  \$100.00 for a second or subsequent detention or removal

2. The impoundment fees, shown in the second column of the following table, that correspond to the weight or type of the item shown in the first column, are payable under subsection 102(5) of this bylaw:

<u>Weight or Type</u>	<u>Impoundment Fee</u>
65 kg or less	\$5.00 per day, including the first day
over 65 kilograms	\$7.00 per day including the first day