



To: Public Works and Transportation Committee Date: September 1, 2009
 From: Victor Wei, P. Eng. File: 10-6460-03/2009-Vol 01
 Director, Transportation

Re: **TRAFFIC BYLAW AMENDMENT – PROVISION TO ALLOW NEIGHBOURHOOD
 ZERO EMISSION VEHICLES TO OPERATE ON RICHMOND ROADWAYS
 POSTED AT 50-KM/H OR LESS**

Staff Recommendation

1. That Traffic Bylaw No. 5870, Amendment Bylaw No. 8536 be introduced and given first, second and third reading.
2. That Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 8537 be introduced and given first, second and third reading.

Victor Wei, P. Eng.
 Director, Transportation
 (604-276-4271)

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ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Community Bylaws	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
Fire Rescue	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
Law	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
R.C.M.P.	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	REVIEWED BY CAO	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Staff Report

Origin

At the May 25, 2009 regular Council meeting, Council approved the recommendation that the operation of Neighbourhood Zero Emission Vehicles (NZEVs) be permitted on public roadways in Richmond under certain conditions. As part of the resolution, staff were directed as follows:

That:

staff be directed to bring forth an amendment to Traffic Bylaw No. 5870 to permit the operation of Neighbourhood Zero Emission Vehicles on public roadways in Richmond in accordance with the following conditions:

- (a) the street has a speed limit of 50-km/hr or less; and*
- (b) the vehicle must travel in the lane on the street that is closest to the right-hand edge or curb of the street, except when a left-turn is necessary or when passing another vehicle.*

Accordingly, this report presents the required amendments to the appropriate bylaws to permit the operation of NZEVs on Richmond roadways and proposes a fine for violations of the operating conditions.

Analysis

1. Operating Conditions for Neighbourhood Zero Emission Vehicles (NZEVs)

Effective February 1, 2009, the *BC Motor Vehicle Act Regulations* were amended to allow neighbourhood zero emission vehicles (NZEVs) to operate on public roads with a speed limit of 40 km/h or less. The provincial amendment also provides individual municipalities with the authority to create a bylaw that would allow NZEVs on streets with maximum speed limits between 40 km/h and 50 km/hr. At the May 25, 2009 meeting, Council directed staff to bring forward bylaw amendments to permit NZEVs to operate on public roadways in Richmond on the following conditions:

- (a) on streets with speed limits of 50 km/h or less; and
- (b) in the street lane that is closest to the right hand edge or curb of the street, except when a left hand turn is necessary or when passing another vehicle.

Bylaw 8536 identifies the proposed amendments to Traffic Bylaw No. 5870 to permit the operation of NZEVs, with the above conditions.

2. Fine Schedule for Violations of Operating Conditions for NZEVs

After discussion with the Richmond RCMP it was determined that the restriction of operating NZEVs only on streets with a speed limit of 50 km/h or less can be addressed using the *BC Motor Vehicle Act*, since it is a condition of licence. However, driving a NZEV in a traffic lane not closest to the right edge or curb would have to be enforced using the Traffic Bylaw and the Municipal Ticket Information Authorization Bylaw. As such, an appropriate fine schedule for the violation of this operating condition for NZEVs was developed in consultation with the RCMP.

The recommended violation and fine are:

- Failure to drive or operate a Neighbourhood Zero Emission Vehicle in lane closest to right hand curb or shoulder \$100.00

The proposed amount of fine was determined based on similar moving vehicle violations such as illegal lane changes or turns, and should be of sufficient amount to dissuade drivers from driving in the wrong lane.

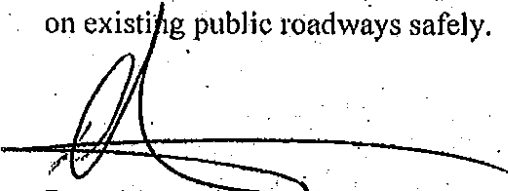
Bylaw 8537 identifies the proposed amendments to Municipal Ticket Information Authorization Bylaw No. 7321 to include the above proposed ticket violation and fine amount.

Financial Impact

The City may realize a small increase in municipal ticket revenue should there be violations of the operating conditions for NZEVs. At this time, it is difficult to estimate the total annual amount of fine revenue due to the uncertainty of the popularity and use of these new vehicles and the resulted frequency of traffic violations. There would be no additional enforcement costs, as enforcement of the NVEZ restrictions would be conducted as part of the routine RCMP traffic enforcement program.

Conclusion

Council has approved in principle the operation of NZEVs in Richmond under certain conditions. This report proposes the appropriate bylaw amendments to permit the operation of NZEVs on Richmond roadways, along with the fine amount for violations of the operating conditions to ensure that these vehicles of newer technology and characteristics can be operated on existing public roadways safely.



Doug Newton
Supervisor, Traffic Operations
(604-276-4032)

DN:lce



**Traffic Bylaw No. 5870,
Amendment Bylaw 8536**

The Council of the City of Richmond enacts as follows:

1. Traffic Bylaw No. 5870, as amended, is further amended at Section 1.2 by adding the following definition:

(1) To Section 1.2, after the definition of "**MANAGER, COMMUNITY BYLAWS**";

**NEIGHBOURHOOD ZERO
EMISSION VEHICLE**

means a **vehicle** that travels on four wheels and is powered by an electric motor that is designed to allow the **vehicle** to attain a speed of 32 kilometers per hour but not more than 40 kilometers per hour in a distance of 1.6 km on a paved level surface, and

- (a) meets or exceeds standards of the Motor Vehicle Safety Act (Canada) for a low-speed vehicle and bears a compliance label for a low-speed vehicle in accordance with that Act, or
- (b) if imported to Canada, has been imported as an admissible low-speed vehicle in accordance with the Motor Vehicle Safety Act (Canada) requirements, and
 - (i) bears a compliance label for a low-speed vehicle in accordance with that Act, or
 - (ii) meets applicable federal United States laws in accordance with the Motor Vehicle Safety Act (Canada).

2. Traffic Bylaw No. 5870, as amended, is further amended by deleting the definition of "**VEHICLE**" and substituting the following:

VEHICLE

has the meaning given to the term in the *Motor Vehicle Act*, and includes motor vehicle, **neighbourhood zero emission vehicle** and motorcycle.

3. Traffic Bylaw No. 5870, as amended, is further amended by adding the following after 10.6:

10.7. No person shall drive or operate a **neighborhood zero emission vehicle** on a **street** unless:

- (a) the **street** has a speed limit of 50 kilometers per hour or less; and
- (b) the person drives or operates the **neighbourhood zero emission vehicle** in the lane on the **street** closest to the right hand **curb** or **shoulder**, except to make a left hand turn or to pass another **vehicle**.

4. This Bylaw is cited as "Traffic Bylaw No. 5870, Amendment Bylaw No. 8536".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. <i>VW</i>
APPROVED for legally by Solicitor <i>NS</i>

MAYOR

CORPORATE OFFICER



**Municipal Ticket Information Authorization Bylaw No. 7321,
Amendment Bylaw No. 8537**

The Council of the City of Richmond enacts as follows:

1. Municipal Ticket Information Authorization Bylaw No. 7321, as amended, is further amended by adding the following to Schedule A in numerical order:

Column 1

Column 2

12A. Traffic Bylaw No. 5870

- Police Officer

2. Municipal Ticket Information Authorization Bylaw No. 7321, as amended, is further amended by adding the following to Schedule B in numerical order:

SCHEDULE B 12A

TRAFFIC BYLAW NO. 5870

Column 1	Column 2	Column 3
Offence	Section	Fine
Failure to drive or operate a Neighbourhood Zero Emission Vehicle in lane closest to right hand curb or shoulder	10.7(b)	\$ 100

3. This Bylaw is cited as "Municipal Ticket Information Authorization No. 7321, Amendment Bylaw 8537".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND

APPROVED for content by originating dept.

APPROVED for legality by Solicitor

MAYOR

CORPORATE OFFICER