

**Law Amendments Committee: Bill 273 - the Road Trails Act
Monday, April 3, 2023 - Representer: David Hendsbee**

Thank you for this opportunity to permit me to make some remarks about Bill 273 - the Road Trails Act.

It has been a long road to get to this point where we can finally allow access for OHVs on public roadways.

As a Caucus member of John Hamm PC government, I was a strong advocate to get some sort of rules and regulations on OHV use and what access they ought to have to get around our Province.

Back in March 2003 - twenty years ago now - the government of the day formed an OHV Taskforce and asked Nova Scotia's own public research and engagement agency - Voluntary Planning - to consult and study this issue in greater detail.

In February 2004 there was an Interim Report called "Out of Control" and then a Final Report was published in November 2004.

There were many recommendations made for legislation and regulations on OHV use.

Plenty of those recommendations have been put into place in some form or another in previous related legislation but the issue of public road access was still outstanding until today.

However, this proposed legislation doesn't go far enough but it's a good start.

It expands upon the recent OHV pilot projects of limited road access to get from point A to point B for local trail connectivity.

There are some points that I would like to see clarified or improved upon.

There are some Controlled-Access highways in our province that have an at-grade level intersection with local roads that do not have a formal interchange superstructure.

These are usually marked with the Yellow Exit signs instead of Green Exit Signs. There ought to be some sort of allowance to permit highway crossings at these specific locations. How can one cross the highway safely where there isn't any overpass bridge or tunnel?

For example, Exit 17 on Highway 107 at East Preston is such an intersection.

Presently, they are precariously crossing the 100 series highway at a point near the Robinson Lake back road. I would prefer to see them cross Highway 107 at Exit 17 with a flashing beacon light similar to those used at pedestrian crosswalks that can be installed and used as an indicator signal to alert motorists that an OHV user is attempting to cross the highway.

And at Hwy 107 - Exit 20 in Porters Lake the interchange overpass was renovated to have a wider sidewalk and a higher raised railing to allow for safer pedestrian and cyclist- crossings.

There is a paved pathway on both sides of the eastern ramps with Bollard posts that blocks OHVs access. It would be far easier and cheaper to remove these bollards and allow the OHV to pass through . It is far more cost-effective instead of digging a proposed \$1 Million tunnel passageway under the highway.

It should be noted that the old Rails-To-Trails corridor – the Blueberry Run is one of the few remaining multi-use trails left on the Great Trans Canada Trail that allows motorized and equestrian users and it comes right up to this Exit 20 interchange but they are not allow to use it in order to cross over the highway.

And from there it's an easy and short connection to get to the various services at the Porters Lake Shopping Centre area such the gas stations, coffee shops, restaurants and stores.

With respect to OHV equipment, I was wondering why a HORN is not being asked for. I'm not sure if a horn is standard equipment on an OHV but it should be. The noise of a OHV engine may be loud enough to alert anyone that a machine is approaching but what happens when electric OHV becomes more of the norm instead of gas powered models.

We all know that bells should be mandatory on all bicycles because they too often sneak up unexpectedly upon pedestrians on our trails and streets.

In regard to OHV speed limits, the legislation pegs it at 25 Kms/hour. Shouldn't an OHV have the same regulated speed as an E-Bike can go? I believe an E-Bike are designed and can travel at a rate of speed of 28 miles/hour or 45 Kms/hour.

I would suggest a simple rule of thumb such as a 50% speed ratio whereby an OHV must not travel any faster than half the posted speed zone on the traffic signs along that roadway.

For example if the posted speed limit for cars is 50 Kms/hour then the OHV should be limited to 25 Kms/hour.

Or in an 80 Kms/hour zone that would allow an OHV to go up to 40 Kms/hour.

I am grateful to see provisions in the proposed legislation to allow municipalities the ability, by bylaw, to make regulations for OHV use and to designate municipal highways, streets and roads or parts thereof as a road trail.

I think this will help boost the economy of our suburban centres where trails and old road reserves in the rural areas come into a municipality where they have local control over their own roadways.

I implore you to do as much as you can to make trail connectivity and road access easier for OHV users to reach into our rural communities where this type of legislation can have a greater impact on the rural economy across entire Province.

Thank you for listening and taking into consideration my comments on this Bill 273 - The Road Trails Act.

Best regards- David Hendsbee