

Authority: Item 6, Public Works Committee
Report 22-005 (PED23080/PW23020)
CM: April 26, 2023
Ward: City Wide

Bill No. 075

CITY OF HAMILTON

BY-LAW NO. 23-075

A By-law to Amend By-law No. 01-215, A By-law to Regulate Traffic

WHEREAS Ontario Regulation 141/21 regarding a pilot project for Cargo Power-Assisted Bicycles, prohibits the operation of Cargo Power-Assisted Bicycles unless such operation is permitted by and in accordance with a municipal by-law;

AND WHEREAS Council deems it necessary to amend the Traffic By-law to permit Cargo Power-Assisted Bicycles in Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. The following definitions shall be included in By-law 01-215:

“cargo power-assisted bicycle” means a pedal-driven bicycle of conventional exposed fork-and-frame bicycle design and appearance that,

- (a) has two or three wheels,
- (b) is fitted at all times with pedals that are always operable to propel the bicycle,
- (c) has a platform, basket or container for carrying cargo, parcels or goods,
- (d) has steering handlebars,
- (d.1) has a weight of more than 55 kilograms,
- (e) has a width not exceeding 1.3 metres,
- (f) has a length not exceeding 4 metres,
- (g) has a height not exceeding 2.2 metres,
- (h) has wheels that have a width of not less than 35 millimetres and a diameter of not less than 350 millimetres,
- (i) does not have any structure that fully encloses the occupant area, and
- (j) has an electric motor with a continuous rated output power not exceeding 1000 watts that is incapable of providing propulsion assistance when the bicycle attains a speed of 32 kilometres per hour or more;

“motor assisted bicycle” means a bicycle,

- (a) that is fitted with pedals that are operable at all times to propel the bicycle,
- (b) that weighs not more than fifty-five kilograms,

- (c) that has no hand or foot operated clutch or gearbox driven by the motor and transferring power to the driven wheel,
- (d) that has an attached motor driven by electricity or having a piston displacement of not more than fifty cubic centimetres, and
- (e) that does not have sufficient power to enable the bicycle to attain a speed greater than 50 kilometres per hour on level ground within a distance of 2 kilometres from a standing start;

“power-assisted bicycles” means a bicycle that is a power-assisted bicycle as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8

3. The following definitions shall be repealed and replaced by the following definitions in By-law 01-215:

“bicycle” includes a tricycle, a unicycle, a power-assisted bicycle and a cargo power-assisted bicycle but does not include a motor assisted bicycle;

“motor vehicle” includes an automobile, a motorcycle, a motor assisted bicycle unless otherwise indicated in this by-law, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other motor vehicle running only upon rails, a power-assisted bicycle, a cargo power-assisted bicycle, a motorized snow vehicle, a tractor engine, a farm tractor, a self-propelled implement of husbandry or a road-building machine;

4. In all other respects, By-01-215 is confirmed; and
5. The provisions of this By-law shall become effective on the date approved by City Council.

PASSED this 10th day of May, 2023.

A. Horwath
Mayor

A. Holland
City Clerk