

To: Joint Meeting of the Development Services and Community Services Committees

From: Warren Munro, HBA, RPP, Commissioner,
Development Services Department

Ron Diskey, Commissioner,
Community Services Department

Report Number: DS-22-163

Date of Report: June 8, 2022

Date of Meeting: June 13, 2022

Subject: Public Consultation on an E-scooter Pilot Program

Ward: All Wards

File: 03-05

1.0 Purpose

On January 24, 2021, City Council considered DS-22-22, “Proposed Community Shared Micro-Mobility Pilot Program by Bird Canada Inc.” and directed staff to consult with the public, Oshawa Accessibility Advisory Committee, Oshawa Environmental Advisory Committee, and Oshawa Active Transportation Advisory Committee, to receive input on whether the use of electric kick-scooters (“e-scooters”) should be permitted in the City of Oshawa under the [Province’s 5-year e-scooter pilot program](#) (the “[Pilot Program](#)”) and report back after the consultation process was completed.

The purpose of this Report is to:

1. Provide information on the [Pilot Program](#);
2. Provide an overview of the feedback received pursuant to the E-Scooter Public Consultation that was held from March 7, 2022 to April 11, 2022, where various stakeholders and the public were engaged to determine whether the use of e-scooters should be permitted in the City of Oshawa under the [Pilot Program](#);
3. Obtain Council’s authorization to amend the Skateboards and Bicycles By-law 78-91, as amended, Traffic and Parking By-Law 79-99, as amended, and Parks and Facilities By-law 83-2000, as amended and include a new definition and updates to appropriate sections for all three by-laws for regulating e-scooters; and,

4. Obtain Council's authorization to conduct a shared micromobility trial program until the end of December 2024 to gauge the interest for e-bikes and e-scooters within the City of Oshawa.

A copy of Report DS-22-22, dated January 17, 2022 can be found at the following link:
<https://pub-oshawa.escribemeetings.com/filestream.ashx?DocumentId=1604>.

For the purposes of this Report, the following terms are used:

Bicycle for the purposes of this Report means:

- a muscular-powered vehicle having a seat or saddle for the use of the rider, equipped with foot pedals that are operable at all times to propel it, and a hand- or foot-operated braking system; and is designed to travel on not more than three wheels in contact with the ground, including a tricycle and unicycle but not including a similar vehicle equipped with any type of motor, a wheelchair, power-assisted bicycle or a play vehicle.

E-bike for the purposes of this Report means:

- a bicycle that, (1) is a power-assisted bicycle as defined in subsection 2 (1) of the Motor Vehicle Safety Regulations made under the Motor Vehicle Safety Act (Canada); (2) bears a label affixed by the manufacturer in compliance with the definition referred to in clause (1); (3) has affixed to it pedals that are operable; and (4) is capable of being propelled solely by muscular power.

It should be noted that within the City of Oshawa, e-bikes are currently permitted to operate on roads, multi-use paths, trails, and park pathways and prohibited on sidewalks throughout the City.

E-Scooter for the purposes of this Report means a vehicle with:

- Two wheels (one on front and one on back);
- A platform to stand on;
- A handle bar for steering;
- A motor with a maximum of 500 watts of power; and,
- A maximum speed of 24 kilometres per hour.

Scooter for the purposes of this Report means a vehicle that is:

- A non-electric scooter that has two wheels (one on the front and one on the back);
- A handle bar for steering; and,
- Is muscular-powered.

Attachment 1 provides the e-scooters consultation feedback form results.

Attachment 2 provides the feedback received from the Durham Region Cycling Coalition.

Attachment 3 provides a summary table of staff's jurisdictional review of e-scooters and the proposed e-scooter requirements for the City of Oshawa.

Attachment 4 is a list of stakeholders that were consulted.

Attachment 5 is a draft amending by-law to amend the Skateboards and Bicycles By-law 78-91, as amended ("Skateboards and Bicycles By-law"), the Traffic and Parking By-Law 79-99, as amended ("Traffic and Parking By-law") and Parks and Facilities By-law 83-2000, as amended ("Parks and Facilities By-law") to implement a new definition of e-scooters and provide updates to appropriate sections for regulating e-scooters.

2.0 Recommendation

That the Development Services and Community Services Committees recommend to City Council:

1. That, pursuant to Report DS-22-163 dated June 8, 2022 concerning the Public Consultation on an E-scooter Pilot Program, electric kick-scooter use be permitted within the City of Oshawa as part of the Province's 5-year e-scooter pilot program up until December 31, 2024.
2. That staff be authorized to release a Request for Proposals for a shared micromobility program trial up until December 31, 2024, at no cost to the City, consistent with the duration of the Province of Ontario's 5-year e-scooter pilot program.
3. That Bird Canada Inc. and any other company that has submitted unsolicited interest to staff to supply e-scooters to advance the Province's 5-year e-scooter pilot program up until December 31, 2024 be invited to respond to the Request for Proposals.
4. That, pursuant to Report DS-22-163 dated June 8, 2022 concerning the E-scooter Public Consultation on an E-scooter Pilot Program, the City's Skateboards and Bicycles By-law 78-91, as amended, Traffic and Parking By-Law 79-99, as amended, and Parks and Facilities By-law 83-2000, as amended, be further amended to include a new definition of electric kick-scooters and updates to appropriate sections for regulating electric kick-scooters.

3.0 Executive Summary

Not Applicable.

4.0 Input From Other Sources

The following have been consulted in the preparation of this Report:

- Commissioner, Corporate Services
- City Solicitor
- Region of Durham
- Oshawa Accessibility Advisory Committee

- Oshawa Environmental Advisory Committee
- Oshawa Active Transportation Advisory Committee

5.0 Analysis

5.1 Background

In 2015, City Council approved the Integrated Transportation Master Plan which identified that over 70% of trips that begin or end in Oshawa are single occupant auto trips. Of these trips, approximately 59% were identified as having lengths that are well suited for active transportation or other sustainable modes of transportation.

In November 2021, staff received correspondence from Bird Canada Inc. (“Bird Canada”) to express their interest to exclusively offer shared commercial micromobility services in the City of Oshawa.

On January 24, 2022, City Council considered DS-22-22, Proposed Community Shared Micro-Mobility Pilot Program by Bird Canada and directed staff to consult with the public, Oshawa Accessibility Advisory Committee, Oshawa Environmental Advisory Committee, and Oshawa Active Transportation Advisory Committee, to receive input on whether the use of e-scooters should be permitted in the City of Oshawa under the [Pilot Program](#) and report back after the consultation process was completed.

Micromobility refers to a range of small, lightweight vehicles operating at speeds typically below 25 kilometres per hour. Micromobility devices include bicycles, e-bikes, e-scooters, and electric skateboards.

A micromobility share program is a service fully funded and operated by commercial businesses in which micromobility devices (e-bikes and e-scooters) are made available to use for short-term rentals. Micromobility devices are generally rented and paid for through a mobile app.

E-scooters can also be privately owned and are commercially available for purchase along with a wide variety of other unregulated micromobility devices.

5.2 Province of Ontario’s 5-year E-Scooter Pilot Program

On January 1, 2020, the Ministry of Transportation of Ontario (“M.T.O.”) launched the [Pilot Program](#) to evaluate whether they are suitable to be operated on Ontario’s roads. The [Pilot Program](#) is intended to evaluate the use of both personal and shared e-scooters to examine their ability to safely integrate with other vehicle types and determine whether existing provincial rules of the road are adequate.

Under the [Pilot Program](#), municipalities can choose whether to allow their use and to determine where they can operate most safely by adopting or amending their by-laws. Municipalities that choose to permit e-scooters will be responsible for determining where and how e-scooters can be operated within their municipal boundaries. Considerations such as whether to allow or prohibit their use on municipal roads recreational trails, park

pathways, multi-use paths, bike lanes or sidewalks; where parking will be located; and how e-scooters will be managed in their municipality.

As part of the [Pilot Program](#), M.T.O. has set out broad requirements for e-scooters, the operator and rules of the road under the Highway Traffic Act, R.S.O. 1990, c. H.8 (“Highway Traffic Act”) (Ontario Regulation 389/19). A summary is provided below:

5.2.1 E-scooter Requirements

E-scooters allowed under the [Pilot Program](#) must have:

- Two wheels placed along the same longitudinal axis, one placed at the front and one at the rear;
- A platform for standing between the two wheels and a handlebar for steering;
- An electric motor not exceeding 500 watts;
- A maximum speed of 24 kilometres per hour on a level surface;
- A maximum weight of 45 kilograms;
- A horn or bell;
- Lights on the front and rear if they are operated anytime from one-half hour before sunset to one-half hour after sunrise; and,
- A maximum wheel diameter of 430 millimetres (17 inches).

E-scooters must not have:

- Pedals;
- A seat;
- A basket; or,
- A trailer.

5.2.2 Operator Requirements

To operate an e-scooter under the terms of the [Pilot Program](#), operators must:

- Be at least 16 years old;
- Stand at all times while riding;
- Wear a bicycle helmet if under 18 years old;
- Keep a safe distance from pedestrians and other users of the roadway, shoulder, sidewalk, trail, path, walkway, public park or exhibition ground at all times and shall give way to a pedestrian or bicycle by slowing or stopping, as necessary, where there is insufficient space for the pedestrian or bicycle and the e-scooter to pass; and,
- Not operate on a sidewalk, trail, path or walkway or in a public park or exhibition ground at a speed that is markedly greater than the speed of the pedestrians who are proximate to the e-scooter.

Users are not permitted to:

- Carry passengers;
- Carry cargo;
- Tow or be towed;
- Operate for a commercial use; and,
- Operate an e-scooter on controlled access highways (for example, 400-series highways) and where prohibited by municipal by-law.

5.2.3 Rules of the Road

Under the Highway Traffic Act, similar to bicycles, an e-scooter is deemed not to be a motor vehicle. However, the rules of the road that apply to bicycles would also apply to e-scooters.

If allowed by the municipality, e-scooters:

- Can be operated on a roadway or a shoulder of a highway;
- Must operate in bicycle lanes, where bicycle lanes are provided on the road;
- Must operate as close to the right edge of the roadway or shoulder if bicycle lanes are not provided or where the operation of e-scooters is prohibited in bicycle lanes; and,
- Must not be left in a location that is intended for the passage of vehicles or pedestrians.

Penalties will also apply to violations of the pilot regulation and could range from fines of \$250 to \$2,500. By-law offences may also apply. In addition, operators of e-scooters impaired by drugs, alcohol or both may face serious consequences under the Criminal Code of Canada, R.S.C. 1985, c. C-46 (“Criminal Code”).

The full list of the requirements for the [Pilot Program](#) is available at [Ontario Regulation Electric Kick-Scooters](#).

5.3 Region of Durham’s Electric Kick Scooter By-law

On April 23, 2022, Regional Council considered [Report 2022-COW-9](#) and adopted the Electric Kick Scooter By-law 23-2022, through the approval of Report 2022-COW-9 of the Commissioners of Planning and Economic Development and Works. By-law 23-2022 will regulate the safe operation of e-scooters on Regional roads and properties within Durham. This report also provided information regarding the forthcoming changes to the Regional Traffic and Parking By-law to include a definition of an ‘e-bike’ and update the definitions of ‘bicycle’ and ‘cyclist’ to include power-assisted bicycles to conform with the Highway Traffic Act.

The Region’s new Electric Kick Scooter By-law conforms to the Highway Traffic Act and Ontario Regulation 389/19 and only applies to regionally owned property and roads and does not apply to roadways, sidewalks, walkways, recreational trails, multi-use pathways which are under the jurisdiction of area municipalities.

The following are some additions/differences in the Region's by-law which specifies that e-scooters shall:

- **Not** be operated on a highway with a legal speed limit greater than 60 kilometres per hour, unless within a reserved bicycle lane;
- **Not** be operated on a sidewalk, unless permitted by an official or authorized sign;
- **Not** be operated where cycling, skateboarding or rollerblading is prohibited;
- **Not** be parked or stopped on a highway, roadway, sidewalk or trail, path, walkway, park, or multi-use pathway, except where e-scooter parking facilities are provided;
- **Not** be parked or stopped within a furniture zone, unless authorized by the Region; and,
- Be operated in a manner to keep a safe distance of at least **one metre** from pedestrians and other users.

Based on the Region's new Electric Kick Scooter By-law, e-scooters are permitted by the Region to be operated along all Regional Roads within the City of Oshawa with posted speed limits of 60 kilometres per hour or less unless there is a reserved bicycle lane present. The Regional Roads listed below have posted speed limits that are greater than 60 kilometres per hour and reserved bicycle lanes are not provided.

- Simcoe Street North from 750 metres south of Howden Road to King Street/Oyler Drive in Port Perry;
- Winchester Road; and,
- Harmony Road North from Conlin Road East to Winchester Road East.

It is the Region's expectation that area municipalities, if they choose to, would enact similar by-laws to provide a seamless network for e-scooter use within the Region. Furthermore, the Region has launched an education and awareness campaign to supplement the By-law and created an "[E-mobility website](#)" that provides an overview of E-mobility, where and how to operate devices, and provides links to the by-law and other supportive policies.

It should be noted that the Region's education and awareness campaign may be problematic in the event the City chooses different operating requirements, leading to confusion and mixed messaging.

5.4 City of Oshawa's E-Scooter Public Consultation Process

Staff undertook a five-week public consultation process beginning on Monday, March 7, 2022 and concluding on Monday, April 11, 2022 to engage community members on whether the use of e-scooters should be permitted in the City of Oshawa under the [Pilot Program](#).

The consultation process was comprised of various engagement initiatives that included the use of Connect Oshawa (www.connectoshawa.ca/escooters), the City's online engagement platform. Engagement opportunities included:

- Feedback form available online on Connect Oshawa (and on paper at Service Oshawa and at the Public Information Session and e-scooter demonstration held Tuesday, April 5, 2022 at Donevan Recreation Complex).
- Public Information Session and e-scooter demonstration held Tuesday, April 5, 2022 from 2:00 p.m. to 4:00 p.m. and 6:00 p.m. to 8:00 p.m. at Donevan Recreation Complex.

The public consultation was promoted to the community and stakeholders through various mediums, including media materials, social media, mobile boulevard signs, as well as print and digital promotional material.

At the Public Information Session, the e-scooter demonstration was provided by Bird Canada and Neuron Mobility, which allowed the public to ride e-scooters and ask questions directly to the two vendors.

5.4.1 Public Response

In total:

- 333 respondents completed the feedback form; and,
- 18 people attended the public information session.

Note: Standardized questions were used in the online and paper feedback form to ensure consistency.

Attachment 1 provides the e-scooters consultation feedback form results.

5.4.2 Findings

As directed by Council, the feedback form posed the question "Do you think City of Oshawa should permit the use of e-scooters?" Of the 333 respondents:

- 59.5% said "Yes", the City of Oshawa should permit the use of e-scooters;
- 34.8% said "No"; and,
- 5.7% said they were "Unsure".

Responses to questions where concern was not expressed include:

- 57.1% said privately-owned e-scooters **should be permitted** in Oshawa.
- 53.7% said e-scooter rental companies (share programs) **should be permitted** to operate in Oshawa.

- 66.8% said that e-scooters **should be allowed** to operate on regional roads with bicycle lanes.
- 64% said that they are **not concerned** about e-scooters being used in dedicated bicycle lanes and 73% said they should be allowed in them.
- 55.2% said that they are **not concerned** about e-scooters speed.
- 52% said that they are **not concerned** about e-scooters being used on recreational trails and 66% said they should be allowed on them.
- 51% said that they are **not concerned** about e-scooters being used on multi-use paths within the boulevards and 64.1% said they should be allowed on them.

Responses to questions where concern was expressed include:

- 72% said that they are **somewhat (26%) to very concerned (46%)** about e-scooters being used on sidewalks.
- 70% said that they are **somewhat (33%) to very concerned (37%)** about rider safety when using an e-scooter and 79% said all riders should be required to wear helmets.
- 66% said that they are **somewhat (17%) to very concerned (49%)** about the enforcement of e-scooters and users.
- 53% said that they are **somewhat (20%) to very concerned (33%)** about e-scooters use in parks and park pathways.
- 48% said that they are **somewhat (18%) to very concerned (30%)** about e-scooters being used on roads with speed limits of 50 kilometres per hour or less.
- 52.8% said that e-scooters **should not be allowed** to operate on regional roads without bicycle lanes.

5.4.3 Consultation with City of Oshawa Advisory Committees

As part of the public consultation, staff also consulted with the Oshawa Accessibility Advisory Committee, Oshawa Environmental Advisory Committee, and Oshawa Active Transportation Advisory Committee to receive input on whether the use of e-scooters should be permitted in the City of Oshawa under the [Pilot Program](#).

5.4.3.1 Oshawa Accessibility Advisory Committee

On March 15, 2022, Oshawa Accessibility Advisory Committee (O.A.A.C.) received a presentation on whether the use of e-scooters should be permitted in the City of Oshawa under the [Pilot Program](#).

At the April 20, 2022 O.A.A.C. meeting, O.A.A.C. endorsed the recommendations of [OAAC-22-28](#), "E-Scooter Working Group Report - April 2022".

In OAAC-22-28, eight recommendations were presented including the following key recommendations:

- Recommendation 1 - "That the Council rejects the E-scooter Program at this time".
- Recommendation 3 – "The OAAC Working Group raises the following concerns:
 - a. Silence of the scooter for those who are hearing impaired or deaf;
 - b. Use on sidewalks, even partial use until it stops;
 - c. High speed of 20-24 km/hr
 - d. Insurance availability in the event of collision, injuries to others, property damage
 - e. Racing by untrained, unlicensed, un-helmeted – enforcement
 - f. Scooter litter – unparked, unsecured, tripping hazards"
- Recommendation 7 – "That if the Council accepts the E-scooter Program, such is done on a "Pilot" basis for a period of one year, after which further consultation and consideration can be implemented."
- Recommendation 8 – "That if the Council accepts the E-scooter Program at this time or at any time in the future, the following requirements are implemented and enforced, and the following questions/inquiries are answered by:
 - a. E-scooters should not be permitted on the sidewalks.
 - b. Annual reports of collisions involving e-scooters and persons with disabilities should be prepared and shared with OAAC.
 - c. Limiting number of E-Scooters to avoid congestion.
 - d. Require Vendor to develop, implement, and provide thorough education to the user on safe operations of the e-scooter.
 - e. Limiting speed of the E-scooter to 20 km/hr in most areas, and 15 km/hr in high traffic areas.
 - f. Requiring the existence, the use, and maintenance of bell or horn on the e-scooter, one white light on the front, one red light on the rear, reflective materials on side of the scooter, at all times it is used, not just the times stipulated by the provincial legislation.
 - g. Requiring the Vendor to install and maintain an acoustic signalling device to ensure visually impaired residents can hear the silent electric scooter at all times, not just when the user utilizes the horn/bell.

- h. Requiring a “lock-up” mechanism that requires the user to lock e-scooters to bike racks or other designated structure when the scooter is not in use, to prevent scooters being discarded on sidewalks or other dangerous places.
- i. High-contrast colours on scooter handlebars to assist low-vision residents in recognizing potential obstacles.
- j. A scooter complaint hotline to quickly alert the company or by-law of improperly driven or discarded scooters.
- k. Requiring the Vendor to retrieve any of its e-scooters that are either not in use or not securely parked in the designated areas.
- l. City should prepare and promote by various media outlets the requirements (provincial/municipal) of safe use of e-scooters, together with cautionary information with respect to various penalties as a result of misuse of e-scooters (private and shared).”

A copy of OAAC-22-28 which includes all recommendations can be found at the following link: <https://pub-oshawa.escribemeetings.com/filestream.ashx?DocumentId=3108>.

5.4.3.2 Oshawa Environmental Advisory Committee

On March 1, 2022, Oshawa Environmental Advisory Committee (O.E.A.C.) received a presentation on whether the use of e-scooters should be permitted in the City of Oshawa under the [Pilot Program](#).

At the April 5, 2022 O.E.A.C. meeting, O.E.A.C. endorsed the following recommendations of [OEAC-22-22](#), “E-scooters Use in Oshawa Working Group Report”:

- “1. That based on Report OEAC-22-22, from the E-scooter Use Working Group, that the City of Oshawa does not implement the E-scooter Pilot Program as it is counter to the Oshawa Environmental Advisory Committee’s mandate to assist in the protection of the environment in Oshawa, since e-scooters rarely replace cars and in fact replace more eco-friendly options such as walking and cycling; and,
- 2. That, should this pilot program be implemented, it is recommended that the program be monitored on an annual basis to evaluate the environmental impacts (e.g. GHG emissions, waste generated, etc.) and that interim reports be made publicly available.”

Based on OEAC-22-22, the primary concern the Committee had was related to the industry claim that e-scooters are an environmentally friendly transportation. The Committee questioned this claim and provided the following response:

- “E-scooter use is not likely to reduce greenhouse gas emissions in the City of Oshawa and may in fact increase them.
 - Battery charge is short, they are charged daily
 - Commercial e-scooters are collected daily in cars which use fuel”
- “People choose e-scooters over cycling and walking which makes them less environmentally friendly”
- Large environmental impacts related to the manufacturing of batteries and their disposal.

A copy of OEAC-22-22 can be found at the following link: <https://pub-oshawa.escribemeetings.com/filestream.ashx?DocumentId=2952>.

5.4.3.3 Oshawa Active Transportation Advisory Committee

On April 6, 2022, Oshawa Active Transportation Advisory Committee (O.A.T.A.C.) received a presentation on whether the use of e-scooters should be permitted in the City of Oshawa under the [Pilot Program](#). At the meeting, O.A.T.A.C. considered [OATAC-22-10](#), “OATAC Projects 2022 Working Group Report - E-Scooters” and endorsed the following recommendations:

“That the following recommendations from the OATAC Projects 2022 Working Group be endorsed and included in the forthcoming staff report regarding E-Scooters in the City of Oshawa:

1. That based on Report OATAC-22-10 concerning e-Scooters use, e-Scooters and other forms of alternative transportation should have a place in the City to assist in alleviating the environmental disaster the world is now in; and,
2. That the City commit to spending resources to give the proper tools for by-law enforcement needed now, before any expansion; and,
3. That with the addition of traffic, an expanded cycling network with more signage and education as to proper use of sharing of the road with these alternatives to the car and more secure, safe parking for bicycles, e-scooters etc., be provided; and,
4. That the City, synchronize new by-laws and connections of routes with the Region and other Durham municipalities; and,
5. That in future, the City commit road maintenance savings due to less congestion, to Active Transportation.”

A copy of OATAC-22-10 can be found at the following link: <https://pub-oshawa.escribemeetings.com/filestream.ashx?DocumentId=2969>.

5.5 Staff Responses to Raised Concerns

Major themes raised by the public, advisory committees, and stakeholders through the consultation process include concerns related to sidewalk riding; operating speeds and interactions with other multi-use paths and trail users, improper parking, safety, enforcement, and insurance and liability.

The proposed amendments to the City's Skateboards and Bicycles By-law 78-91, as amended, Traffic and Parking By-Law 79-99, as amended, and Parks and Facilities By-law 83-2000 will help address many of these concerns.

5.5.1 Sidewalk Riding

Based on the feedback received, concerns related to illegal sidewalk riding was raised.

Staff agree that e-scooter use on sidewalks should be prohibited.

Recommendation 4 to this Report contains the appropriate language to advance.

5.5.2 Safe Operating Speeds

The consultation process also revealed concerns related to e-scooter speeds. The feedback received revealed that respondents felt that the e-scooter speeds were either too fast for multi-use paths and trails or too slow when operating along side other vehicles on the road.

Using the same general approach that e-scooters should be treated similar to e-bikes and bicycles, in that they will be permitted to operate on multi-use paths and trails with similar operating speeds. Considering that M.T.O. has stipulated that e-scooters must have a maximum speed of 24 kilometres per hour on a level surface; and, that the average operating speed for bicycles within an urban environment is approximately between 19 to 26 kilometres per hour, staff are recommending that e-scooters be limited to a maximum speed of 20 kilometres per hour when operating on multi-use paths and trial, and reduced to 15 kilometres per hour when operating in identified parks, and high-pedestrian areas. In order to enforce these speeds, changes to the Parks and Facilities By-law 83-2000, as amended will be required.

Within the road right-of-way, staff are not recommending to remain consistent with Ontario Regulation 389/19 of the Highway Traffic Act and the Region's Electric Kick Scooter By-law which specify that e-scooters may not exceed operating speeds greater than 24 kilometres per hour.

When interacting with other users, e-scooters are required to yield to and keep a safe distance from pedestrians and other users of the facility.

Recommendation 4 to this Report contains the appropriate language to advance.

5.5.3 Improper Parking

Concerns related to the improper parking of e-scooters was also raised in the feedback received. Respondents felt that e-scooters would be parked inappropriately leading to blocking the path of travel along sidewalks (a major concern for residents with mobility or visual impairments), and obstructing utility accesses, garbage bins, doorways, areas designated for buses, taxis or loading.

The improper e-scooter parking concerns are largely focused toward shared micromobility service providers and not towards private e-scooter owners. Since private e-scooters are relatively expensive items, users have a vested interest in their security and normally would ensure they are parked appropriately to avoid damage or theft.

In the event Council approves shared micromobility service providers to operate in the City, staff will ensure, in partnership with Legal Services, appropriate language is provided in any agreements entered into with shared micromobility service providers to address improper e-scooters parking and stipulate fines for failure to address parking concerns in a timely manner.

5.5.4 Safety

Concerns related to the safety of the e-scooter operator and pedestrians also emerged from the feedback.

In order to address safety concerns, staff are recommending changes to appropriate by-laws to enable the enforcement of recommended requirements for e-scooters (such as no sidewalk riding, speeds, etc.) which will help address this and other concerns.

Helmet usage will be strongly recommended but, will not be mandatory for e-scooter operators over the age of 18 years due to the extreme difficulty in enforcement.

In order to support and promote the safe use of e-scooters, staff are proposing to develop a communication and education strategy to educate residents and raise awareness of e-scooter rules.

Recommendation 4 to this Report contains the appropriate language to advance.

5.5.5 Enforcement

Concerns were raised that related to the enforcement of rules and requirements for e-scooters.

The responsibility for enforcement of e-scooter rules and requirements will be a collaborative effort between Durham Regional Police Services and the City's Municipal Law Enforcement and Licensing Services ("M.L.E.L.S."). Matters that would be enforced include:

- Moving violations, such as operating on a sidewalk, are expected to be enforced by Durham Regional Police Services;

- Non-moving violations, such as blocking a sidewalk with a parked e-scooter, are expected to be enforced by M.L.E.L.S.; and,
- Enforcement of e-scooter use on multi-use paths, trails, and in park properties is expected to be enforced by M.L.E.L.S. and escalated to Durham Regional Police Services, if required.

Recommendation 4 to this Report contains the appropriate language to advance.

Currently, Administrative Monetary Penalties (A.M.P.s) have not been established in the City's Skateboard and Bicycles By-law 78-91, as amended. At the June 6, 2022 Corporate Services Committee meeting, CORP-22-49 concerning "City-Initiated Technical Amendments Related to Administrative Monetary Penalties" recommended among other things, establishing tiered and escalating A.M.P.s to the Skateboard and Bicycles By-law 78-91, as amended, to assist in enforcement efforts. This item will be on the June 20, 2022 City Council Meeting agenda as recommended by the Corporate Services Committee.

5.5.6 Licensing and Insurance

Concerns related to the requirements for a licence to operate and the need to obtain insurance was also raised.

Under the Highway Traffic Act, similar to bicycles, an e-scooter is deemed not to be a motor vehicle. As such, e-scooters do not require specific licensing or the need for insurance. In the event of an accident, the same rules for bicycles would apply to e-scooter users. The Province's 'no fault' insurance coverage requirement applies to both motorists and cyclists. When there is a collision, regardless of who is at fault, injuries and damage are processed by one's own insurance company.

In the event that accident claims are made against the Region or the City that involve pedestrians, cyclists, e-scooters or other micromobility devices, the Durham Insurance Pool would adjudicate the claims.

5.6 Next Steps

Based on the above, staff recommend that e-scooter use be permitted within the City of Oshawa as part of the Province's e-scooter [Pilot Program](#) in consideration of the following:

- E-scooters are a cost effective alternative mode of travel for short trips;
- E-scooters are readily available for purchase by the general public;
- E-scooter use has been observed within the city and is expected to increase over time;
- In addition to Bird Canada, following the January Joint Development Services and Community Services Committee meeting and the launch of the e-scooter public consultation, Neuron Mobility, SCOOTY, and Spin Mobility have also expressed interest to provide micromobility services within Oshawa;

- Based on the results of the e-scooter public consultation where approximately 60% of the respondents believed that the City should allow the use of e-scooters in Oshawa;
- The Region of Durham has already approved the use of e-scooters on Regional Roads and facilities; and,
- There is a need to establish clear regulations that enable the safe operation of micromobility devices and ensure that measures are in place to enforce their safe operation.

In order to support this recommendation, staff further recommend that:

- The City's Skateboards and Bicycles By-law 78-91, as amended, be further amended to prohibit the use of e-scooters on sidewalks;
- The Traffic and Parking By-Law 79-99, as amended, be further amended to allow e-scooters on City highways with posted speed limits of 50 kilometres per hour or less and in designated bike lanes;
- The Parks and Facilities By-law 83-2000, as amended, be further amended to allow e-scooters to operate similar to bicycles and e-bikes on recreational trails and park pathways and that speed limits on these trails be signed 20 kilometres per hour or less;
- Due to multiple shared micromobility service providers interested in providing shared micromobility services within the City, a competitive procurement process be undertaken to secure qualified shared micromobility service providers for a shared micromobility program which would include financial considerations. It is expected that owing to the 2022 Municipal Election, staff would not report on the results of the Request for Proposals until January 2023.

It should be noted that in addition to the interest expressed by Bird Canada, SCOOTY is currently working with Ontario Tech University in securing a memorandum of understanding to operate an e-scooter trial on campus for a length of two weeks.

6.0 Financial Implications

It is anticipated that there may be some financial implications associated with providing signage to support the recommended by-law amendments and to carry out educational and promotional outreach programs for the use of e-scooters.

Furthermore, if Council approves the recommended shared micromobility program trial, any financial implications for the administration and enforcement of the shared micromobility program will be recovered through the administrative fees charged to the operator(s).

It is anticipated that the Request for Proposals will result in revenue to the City but it is difficult to quantify the amount in the absence of the issuance of a Request for Proposals and the review of submissions.

7.0 Relationship to the Oshawa Strategic Plan

The recommendations in this Report address the Accountable Leadership, Economic Prosperity and Financial Stewardship, Social Equity and Environmental Responsibility goals of the Oshawa Strategic Plan.



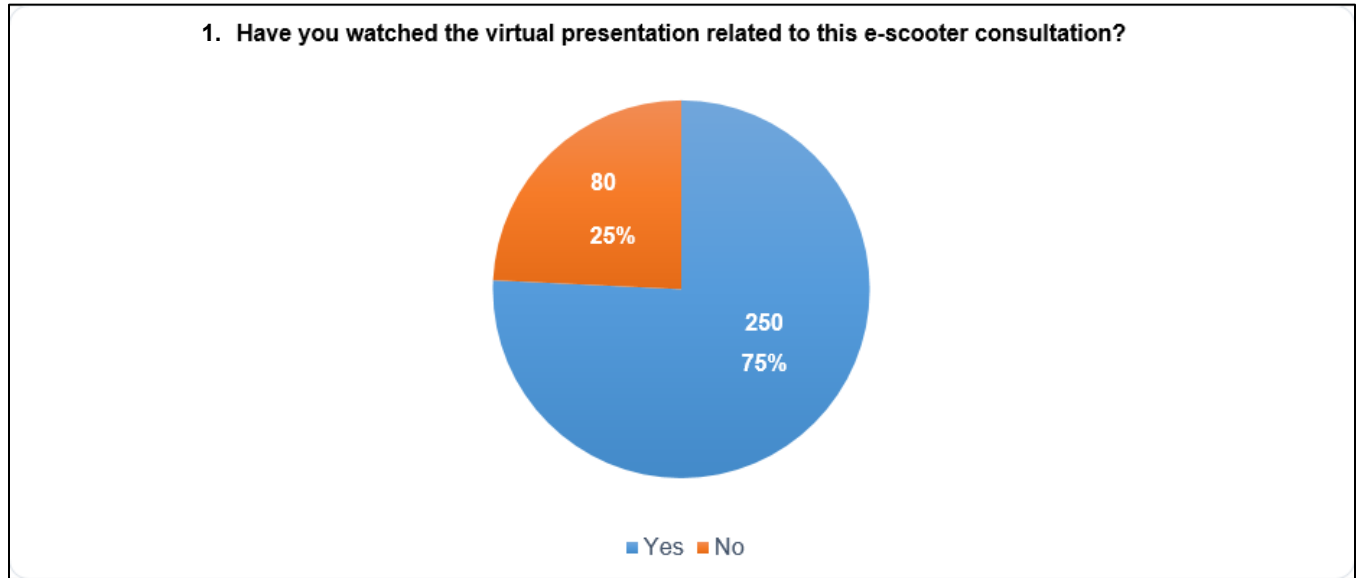
Ron Diskey, Commissioner,
Community Services Department



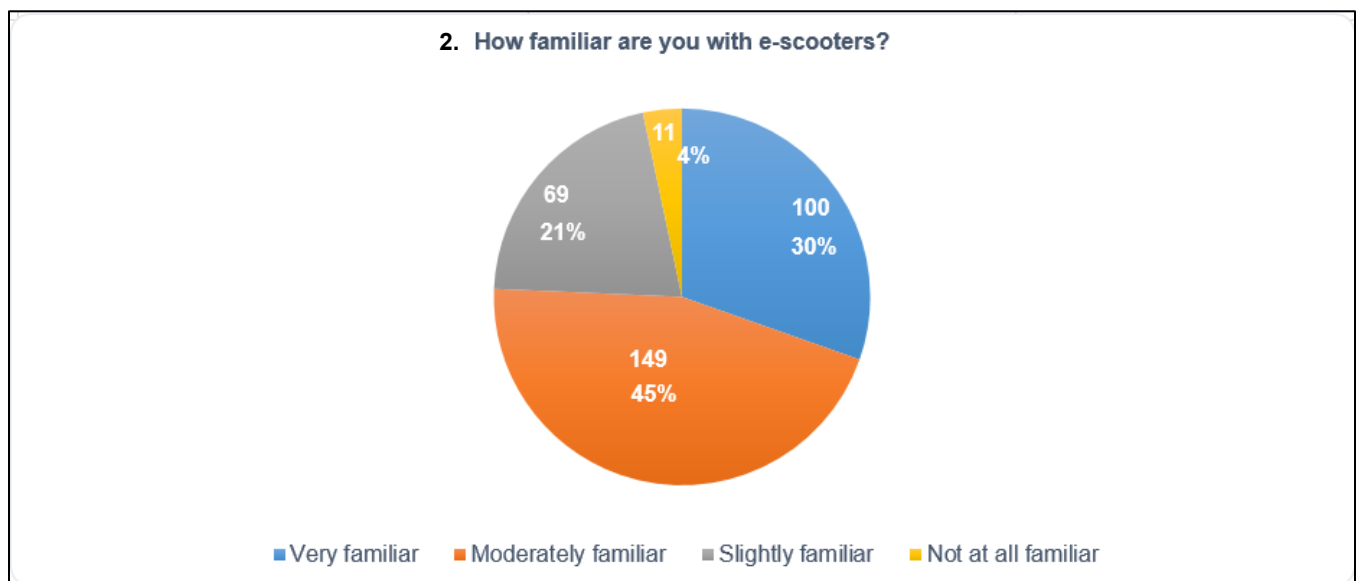
Warren Munro, HBA, RPP, Commissioner,
Development Services Department

E-scooters Consultation Feedback Form Results

E-scooter Knowledge

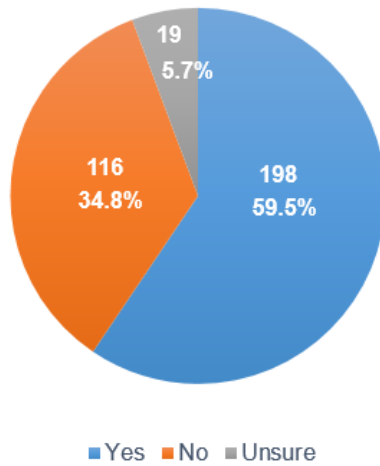


Optional question: 330 responses, 3 skipped



Optional question: 329 responses, 4 skipped

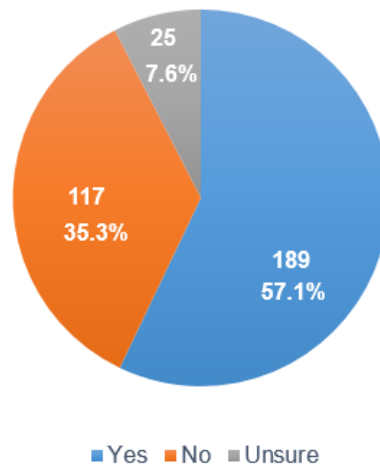
3. Do you think the City of Oshawa should permit the use of e-scooters?



Mandatory question: 333 responses

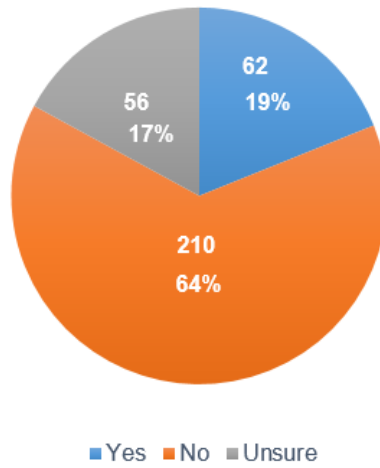
Privately Owned E-scooters

4. Do you think the City should permit the operation of privately owned e-scooters in Oshawa?



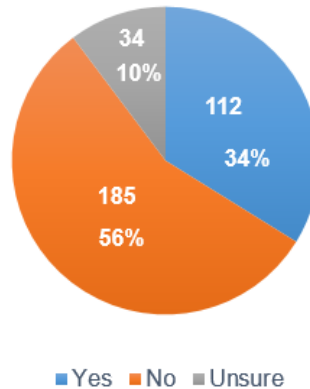
Optional question: 331 responses, 2 skipped

5. Do you own or plan to own an e-scooter?



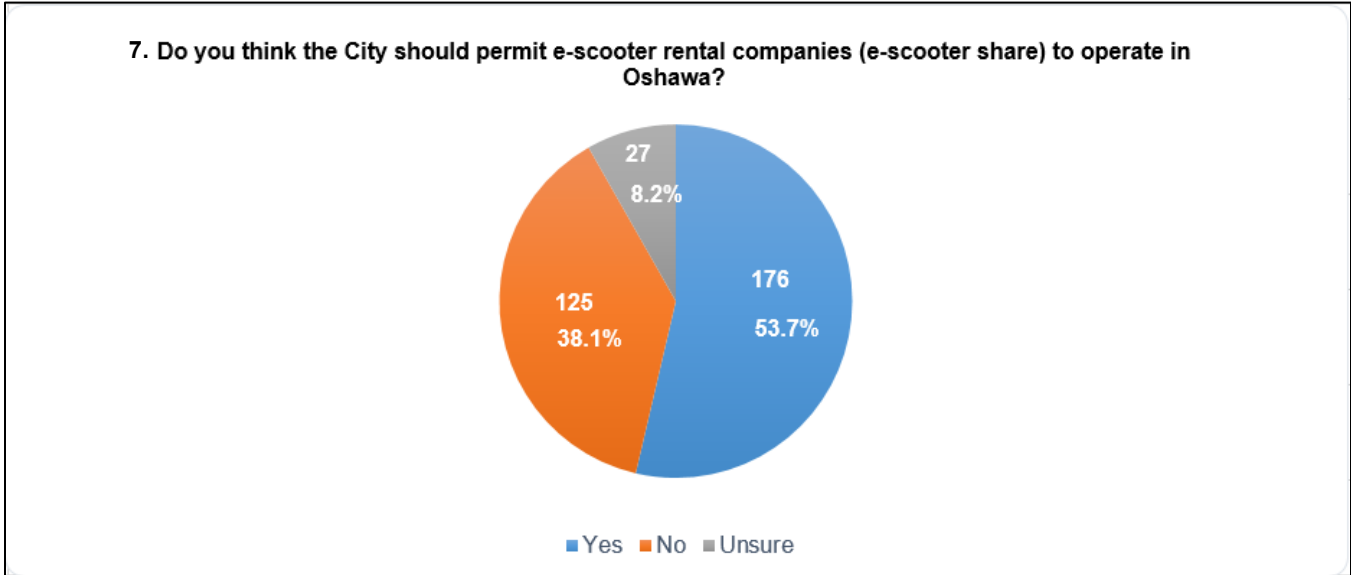
Optional question: 328 responses, 5 skipped

6. Privately owned/operated scooters cannot be controlled the same way shared e-scooters can (e.g. speeds reduced or prohibited in certain areas through geofencing). Do you think privately owned/operated e-scooters should have different operating rules (e.g. prohibited on trails, parks, etc.)?

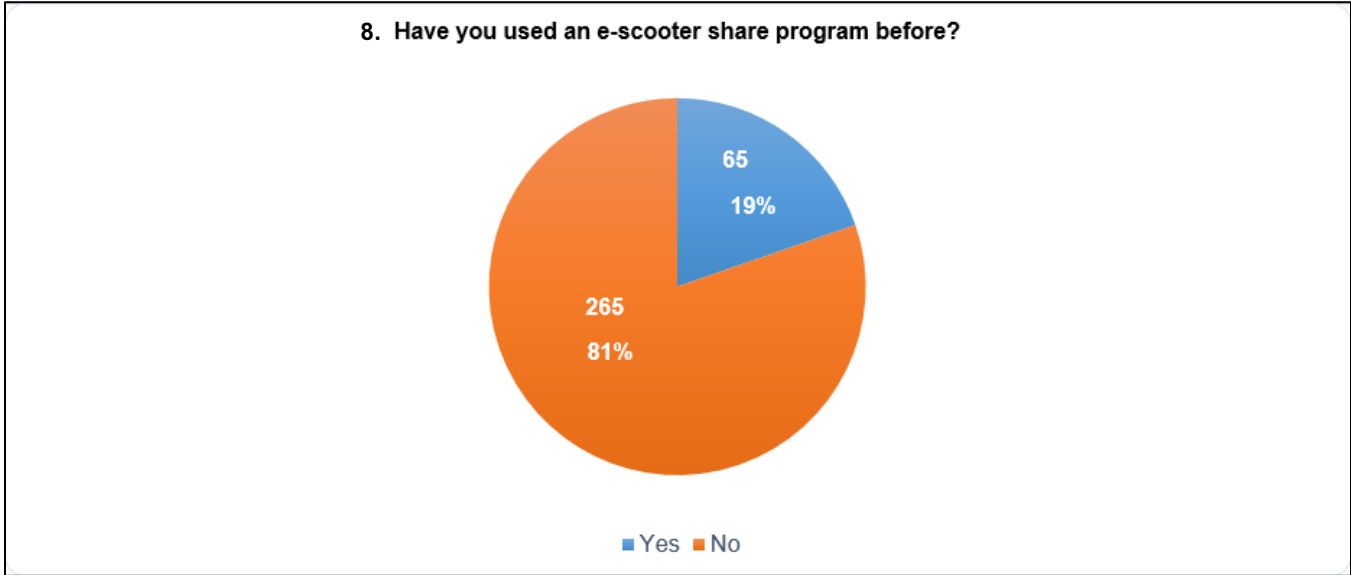


Optional question: 331 responses, 2 skipped

Shared E-scooters

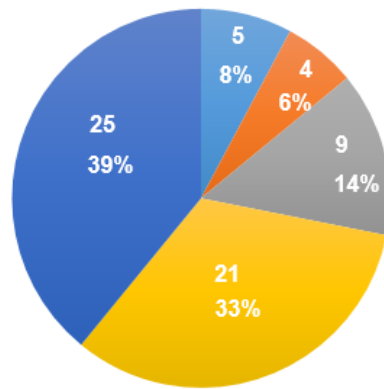


Optional question: 328 responses, 5 skipped



Optional question: 330 responses, 3 skipped

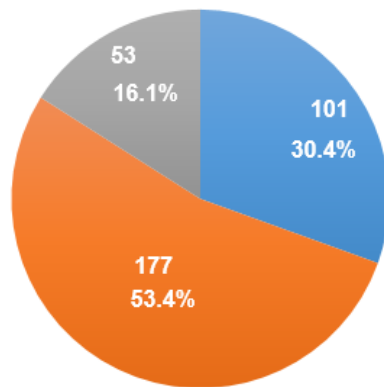
9. What was your overall impression of the e-scooter share program?



■ Very negative ■ Negative ■ Neutral ■ Positive ■ Very Positive

Conditional question based on “Yes” response to “Have you used an e-scooter before?”:
64 responses, 1 skipped

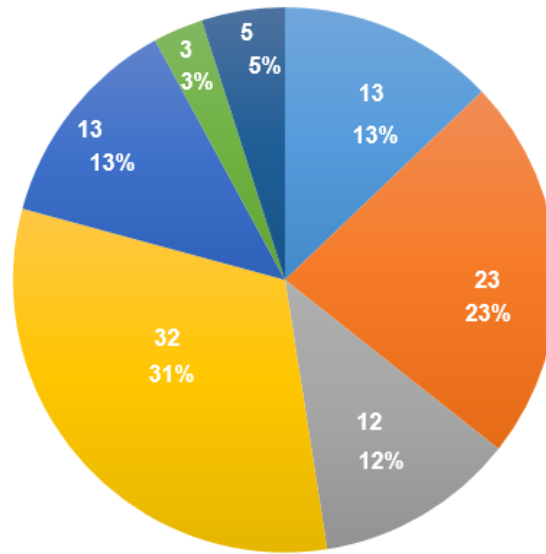
10. Would you use an e-scooter share program in Oshawa?



■ Yes ■ No ■ Unsure

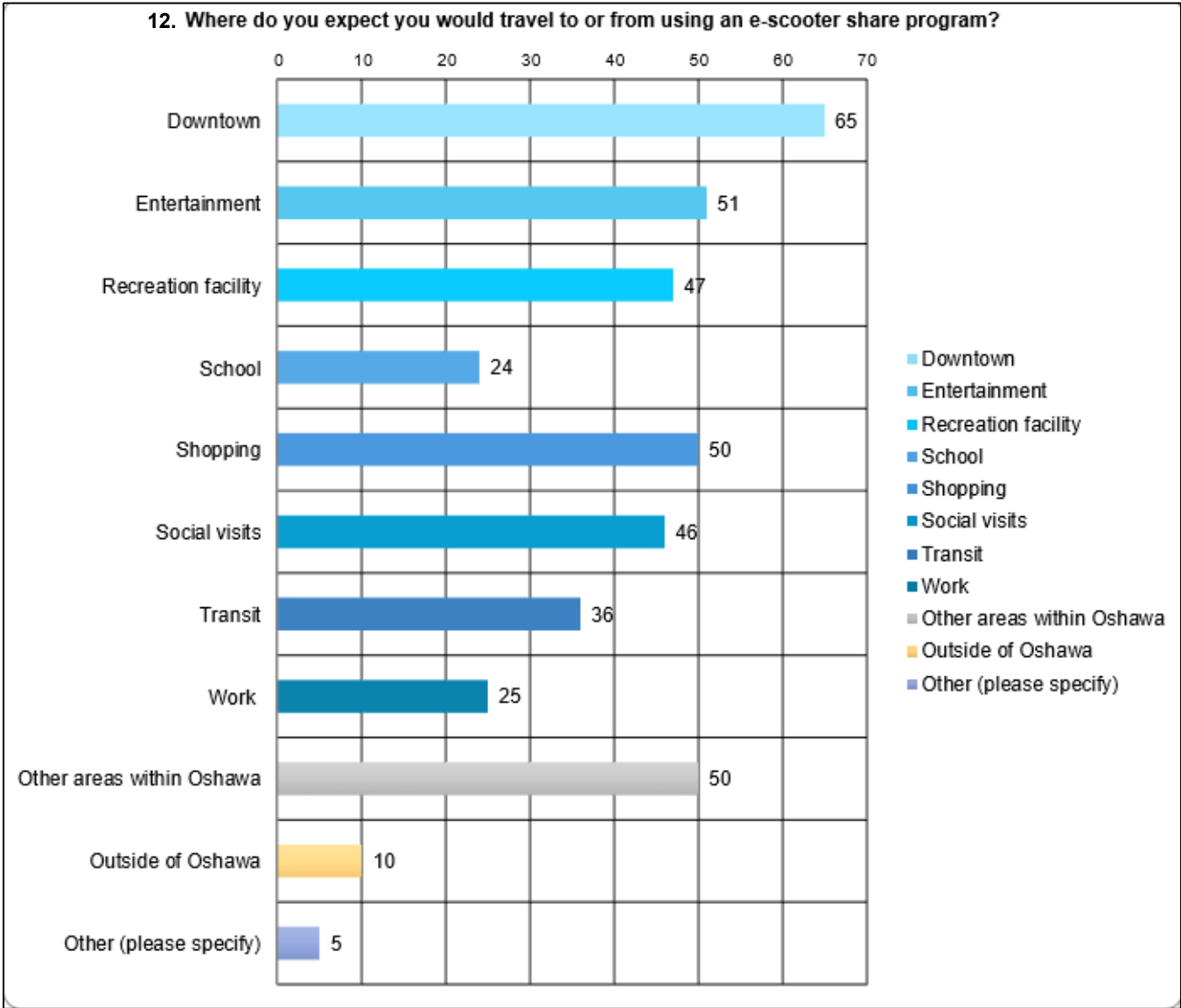
Optional question: 331 responses, 2 skipped

11. How often do you expect you would use an e-scooter share program?



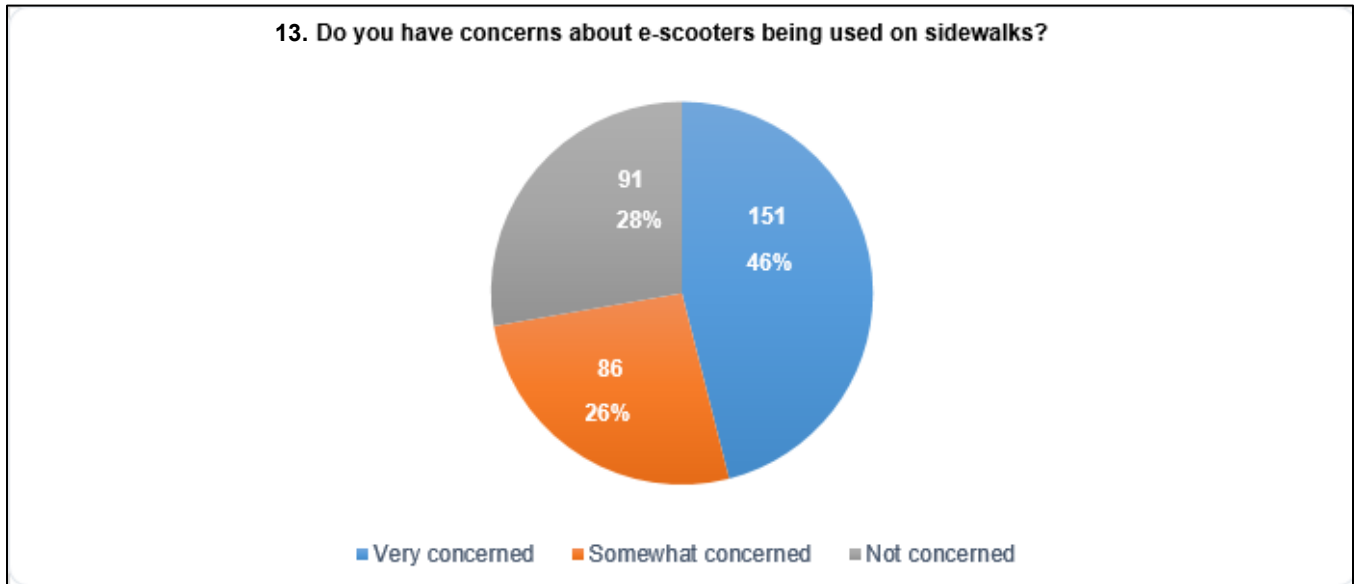
■ Daily ■ Weekly ■ Monthly ■ Multiple times per year ■ Once or twice per year ■ Rarely to never ■ Unsure

Conditional question based on “Yes” response to “Would you use an e-scooter program?” :
101 responses, 0 skipped

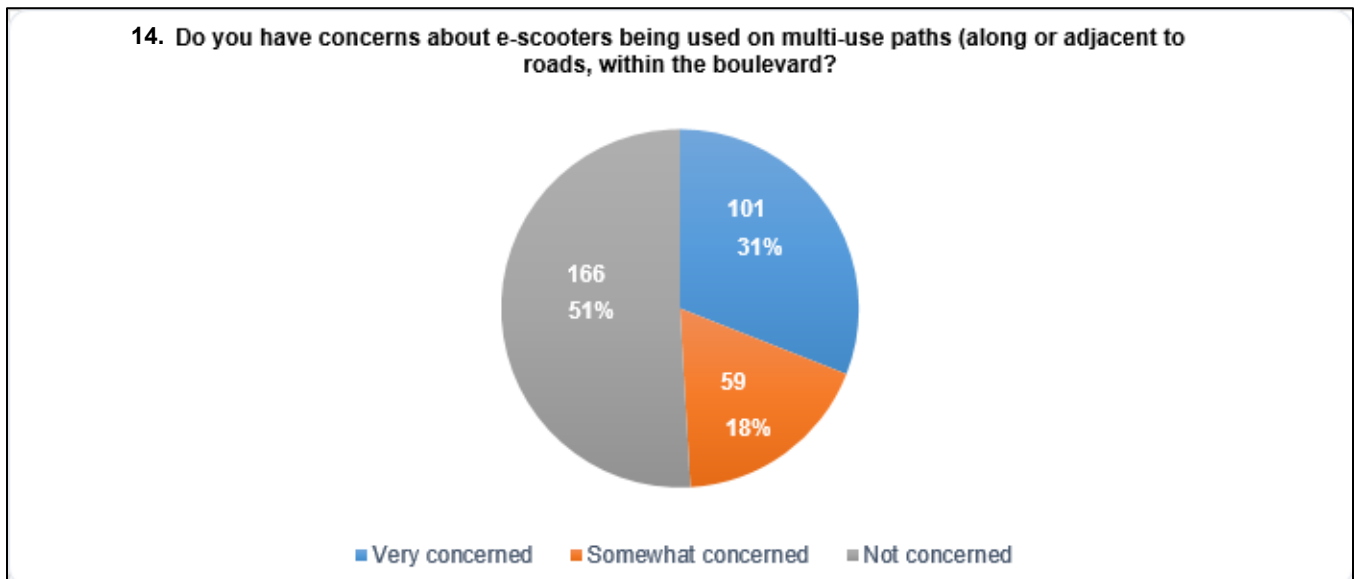


Conditional question based on “Yes” response to “Would you use an e-scooter program?”, multiple responses available, 1 skipped

E-scooter Use

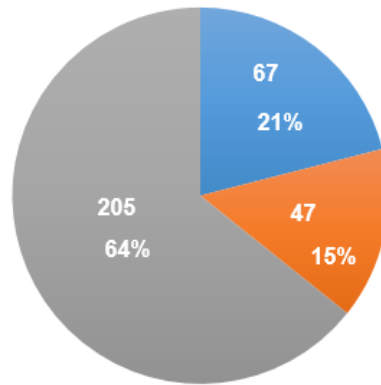


Optional question: 328 responses, 5 skipped



Optional question: 326 responses, 7 skipped

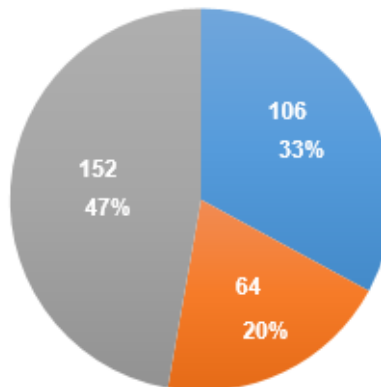
15. Do you have concerns about e-scooters being used in dedicated bike lanes/routes?



■ Very concerned ■ Somewhat concerned ■ Not concerned

Optional question: 319 responses, 14 skipped

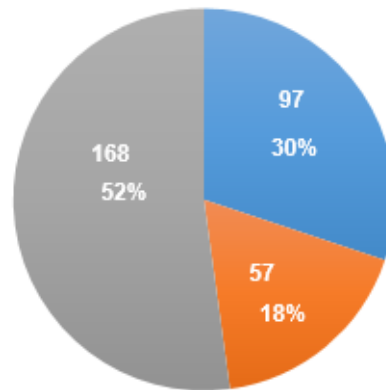
16. Do you have concerns about e-scooter use in parks and on park pathways?



■ Very concerned ■ Somewhat concerned ■ Not concerned

Optional question: 322 responses, 11 skipped

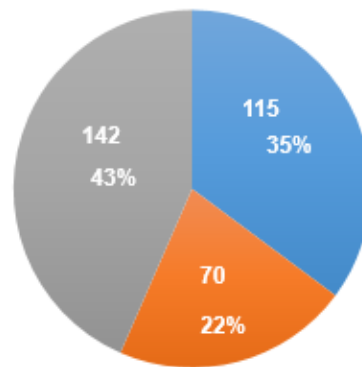
17. Do you have concerns about e-scooter use on multi-use recreational trails?



■ Very concerned ■ Somewhat concerned ■ Not concerned

Optional question: 322 responses, 11 skipped

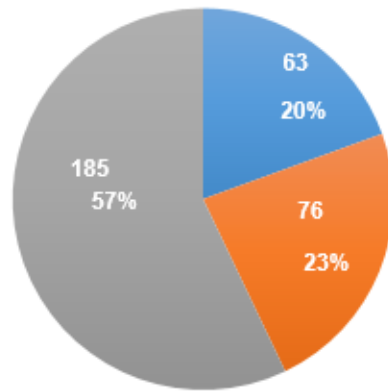
18. Do you have concerns about e-scooters being used on roads with speed limits of 50 km/h or less?



■ Very concerned ■ Somewhat concerned ■ Not concerned

Optional question: 327 responses, 6 skipped

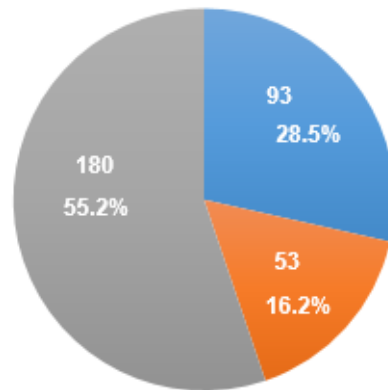
19. Do you have concerns about e-scooter parking?



■ Very concerned ■ Somewhat concerned ■ Not concerned

Optional question: 324 responses, 9 skipped

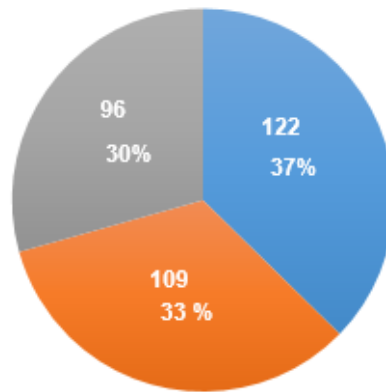
20. Do you have concerns about e-scooter speed (maximum speed of 24 km/h)?



■ Very concerned ■ Somewhat concerned ■ Not concerned

Optional question: 326 responses, 7 skipped

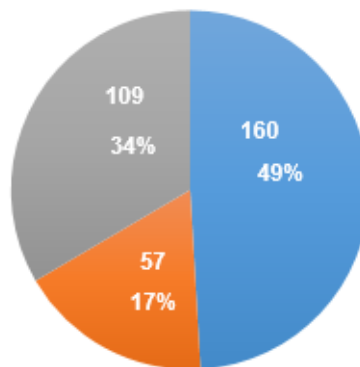
21. Do you have concerns about rider safety when using an e-scooter?



■ Very concerned ■ Somewhat concerned ■ Not concerned

Optional question: 327 responses, 6 skipped

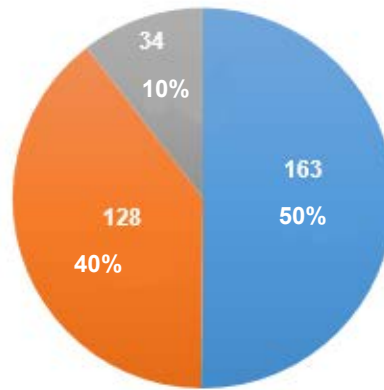
22. Do you have concerns with the ability to enforce e-scooter operating and operator requirements?



■ Very concerned ■ Somewhat concerned ■ Not concerned

Optional question: 326 responses, 7 skipped

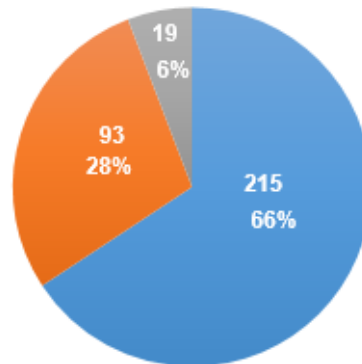
23. Should e-scooters be allowed to operate on all City roadways posted at 50 km/hr or less?



■ Yes, allowed to operate ■ No, not allowed to operate ■ Unsure

Optional question: 325 responses, 8 skipped

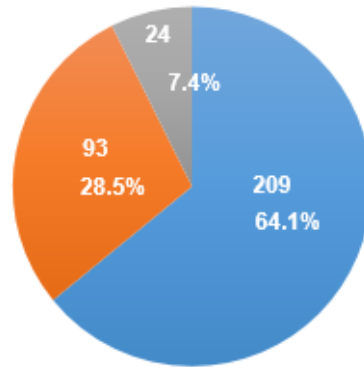
24. Should e-scooters be allowed to operate on paved multi-use recreational trails where bicycles are allowed (Michael Starr Trail, Harmony Creek Trail, Oshawa Creek Trail)?



■ Yes, allowed to operate ■ No, not allowed to operate ■ Unsure

Optional question: 327 responses, 6 skipped

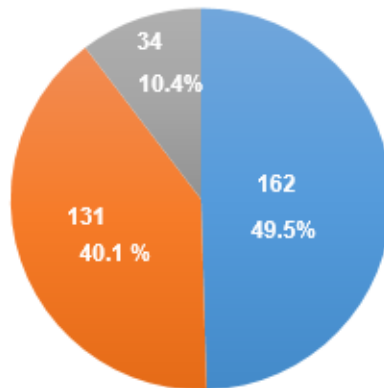
25. Should e-scooters be allowed to operate on multi-use paths (along or adjacent to roads, within the boulevard)?



■ Yes, allowed to operate ■ No, not allowed to operate ■ Unsure

Optional question: 326 responses, 7 skipped

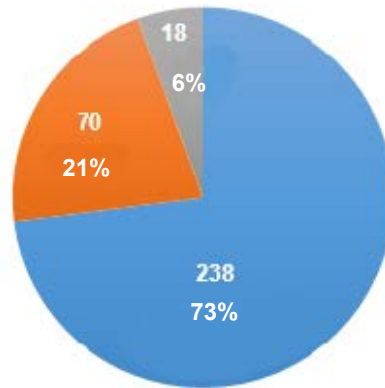
26. Should e-scooters be allowed to operate on park pathways (internal walkways in parks)?



■ Yes, allowed to operate ■ No, not allowed to operate ■ Unsure

Optional question: 327 responses, 6 skipped

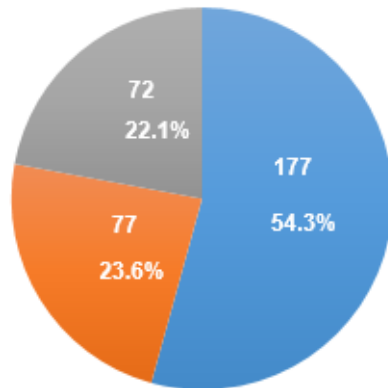
27. Should e-scooters be allowed to operate on dedicated bike lanes/routes?



■ Yes, allowed to operate ■ No, not allowed to operate ■ Unsure

Optional question: 326 responses, 7 skipped

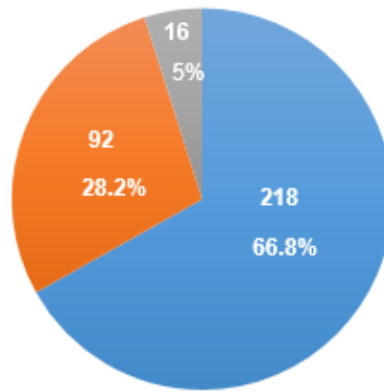
28. Should e-scooters be allowed to operate only on roads with bike lanes/routes (see maps)



■ Yes, allowed to operate ■ No, not allowed to operate ■ Unsure

Optional question: 326 responses, 7 skipped

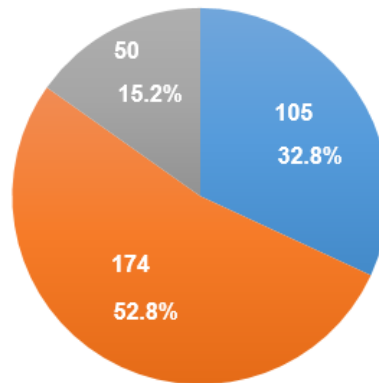
29. Should e-scooters be allowed to operate on Regional Roads with bike lanes?



■ Yes, allowed to operate ■ No, not allowed to operate ■ Unsure

Optional question: 326 responses, 7 skipped

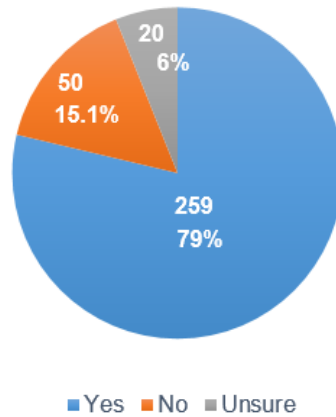
30. Should e-scooters be allowed to operate on Regional Roads without bike lanes?



■ Yes, allowed to operate ■ No, not allowed to operate ■ Unsure

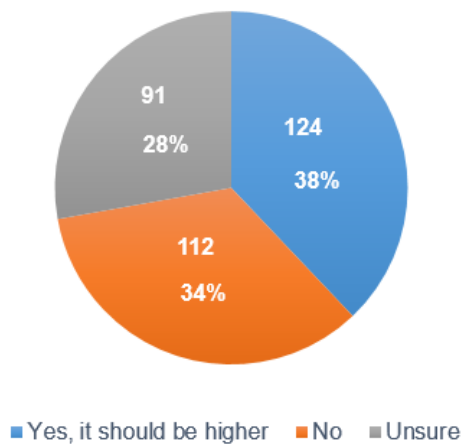
Optional question: 329 responses, 4 skipped

31. By law, the Province requires that all riders under the age of 18 must wear an approved bicycle helmet. Should the City require through its by-law helmet use for all riders while operating an e-scooter?



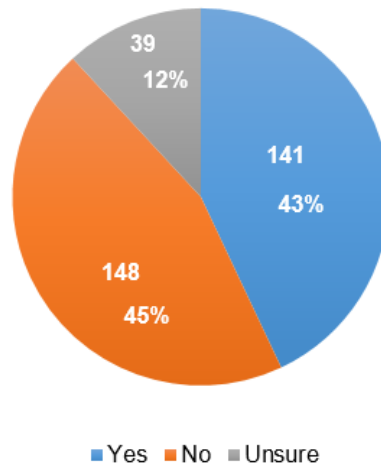
Optional question: 329 responses, 4 skipped

32. The Province has mandated a minimum operating age of 16 for e-scooters. Should the City's by-law increase the minimum operating age for operating an e-scooter?



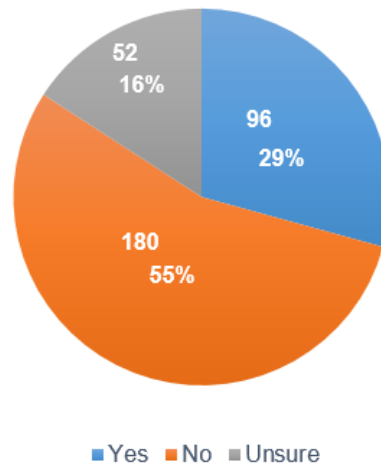
Optional question: 327 responses, 6 skipped

33. Should e-scooters be allowed to operate after dark?



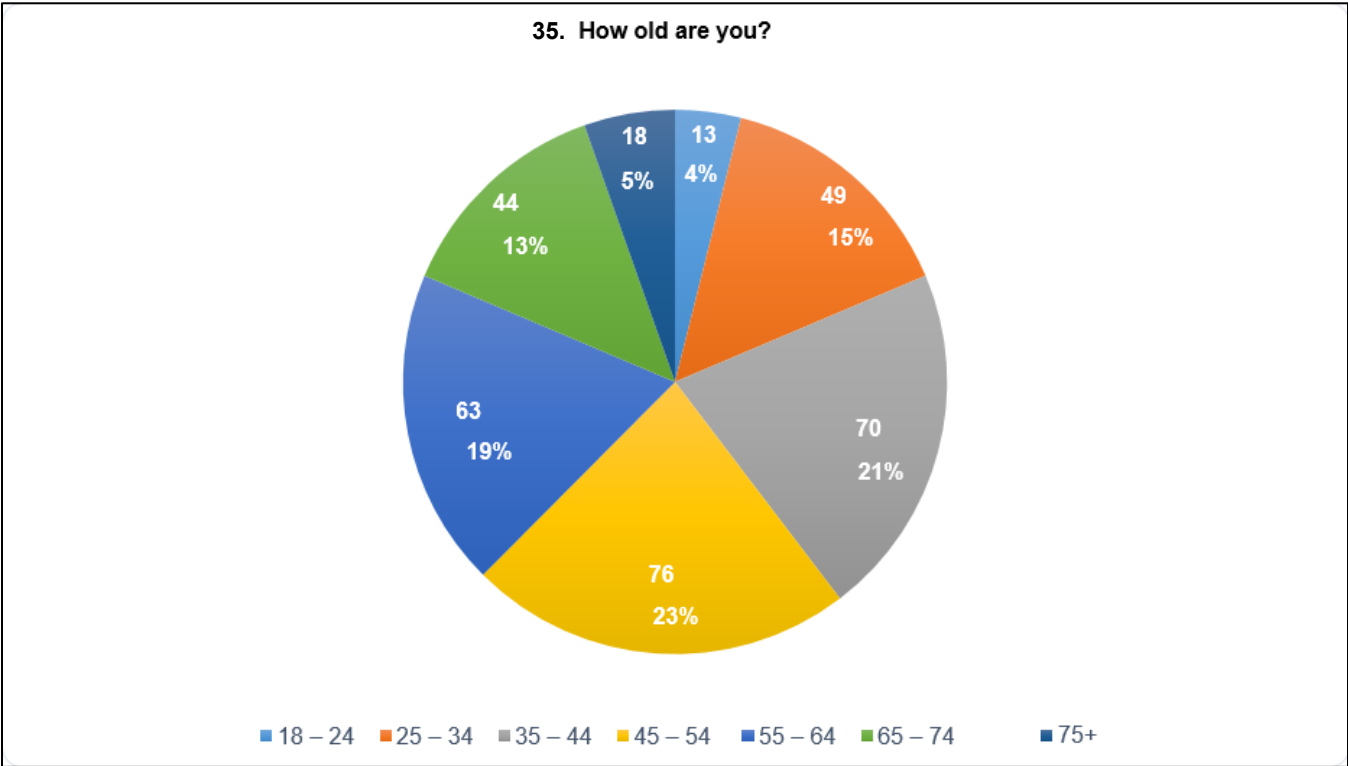
Optional question: 328 responses, 5 skipped

34. Do you have concerns with accessibility and e-scooters operation?

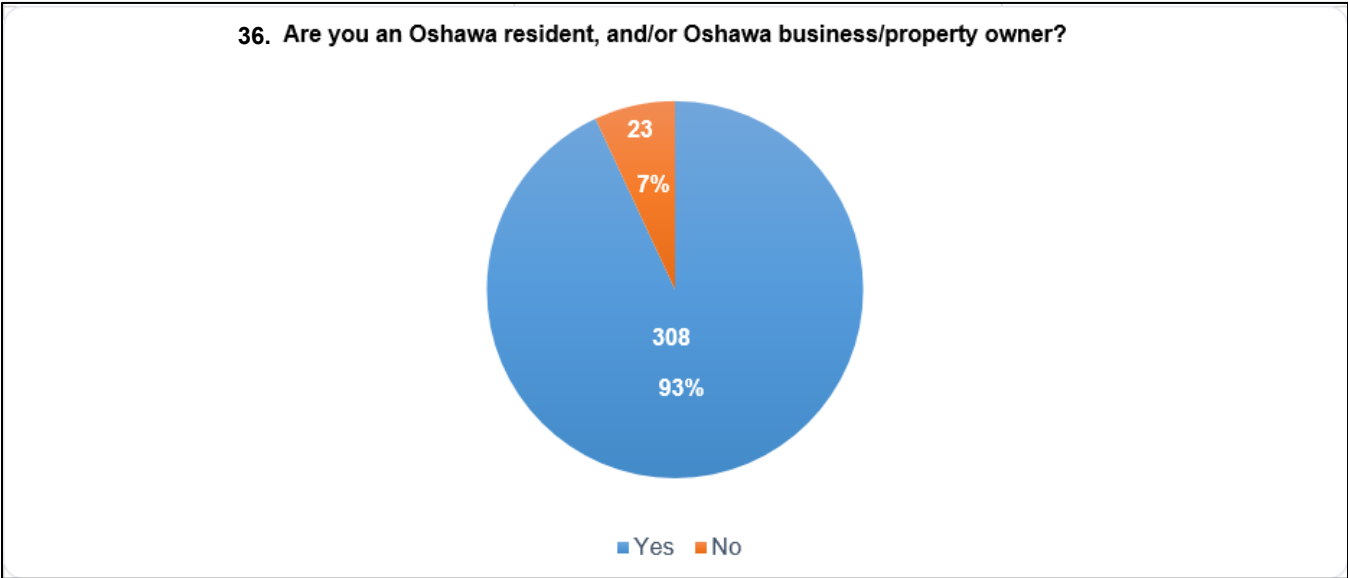


Optional question: 328 responses, 5 skipped

Demographics

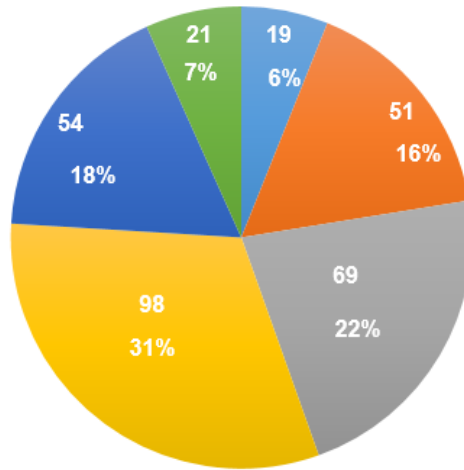


Optional question: 333 responses, 0 skipped



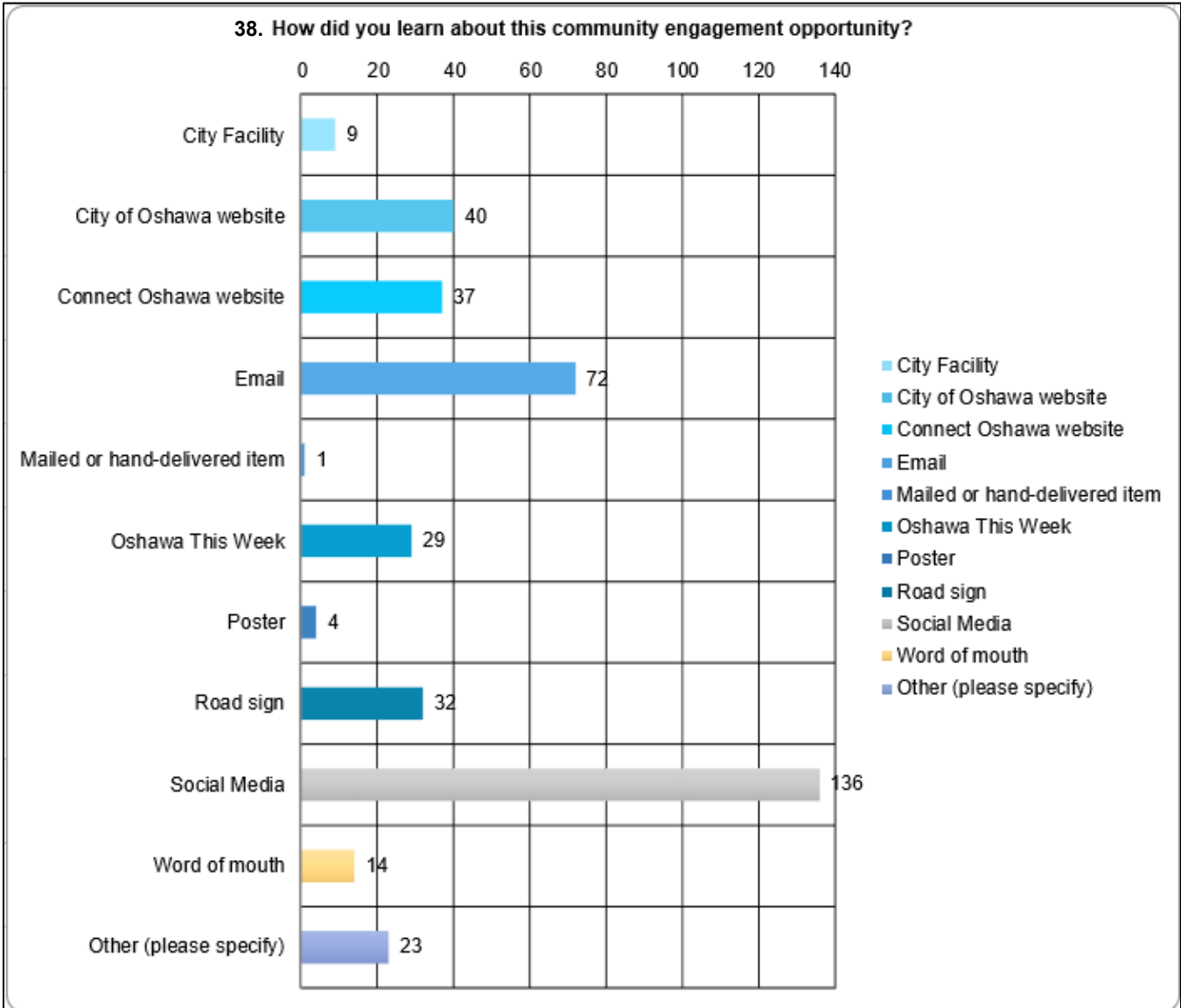
Optional question: 331 responses, 2 skipped.

37. What ward do you live in / is your business/property located in?



■ Ward 1 ■ Ward 2 ■ Ward 3 ■ Ward 4 ■ Ward 5 ■ Don't know

Optional question: 312 responses, 21 skipped.



Optional question: multiple responses available, 0 skipped.



Website: durhamsafecycling.ca
Email: info@durhamsafecycling.ca
Mail: 1B-701 Rossland Road E.
Suite # 629
Whitby ON, L1N 9K3

Advocating for Safe Cycling Throughout Durham Region

City of Oshawa
50 Centre Street South
Oshawa ON
L1H 3Z7

Attention: Ranjit Gill

April 04, 2022

RE: City of Oshawa Public Consultation E-Scooter Review

Dear Ranjit,

Thank you for your recent correspondence with Durham Region Cycling Coalition (DRCC) regarding the above noted review process. As a community stake holder, we are pleased to submit the following feedback for consideration.

Although DRCC is an advocacy group in support of safe cycling, we see a co-existence relationship with all user groups being fundamental to every-one's safety.

As such, we note Durham Region has a draft e-scooter by-law pending Regional Council approval which we have reviewed. In concept, we support the regional by-law direction which we understand will only apply to regional roadways on a curb-to-curb basis and would ask for similar support on City of Oshawa streets. We would also recommend the future City of Oshawa e-scooter by-law - once enacted - would apply to both individual users as well as service provider rental companies which we felt was a miss on the proposed regional by-law.

Further to this, it is our recommendation to permit the use of e-scooters on all City of Oshawa municipal infrastructure designed to support cycling. This would include on road supported cycle lanes as well as off road multi-use-pathways (MUP's) and core spine trails such as the Waterfront Trail and the Oshawa Creek Trail to name a few.



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Mail: 1B-701 Rossland Road E.
Suite # 629
Whitby ON, L1N 9K3

Advocating for Safe Cycling Throughout Durham Region

In doing so, we would also recommend a best practice of expanding future MUP's from three to four metres complete with centre lines and user markings symbols. In addition to this, we strongly recommend all intersection crossings be supported with "Cross Ride" markings and signalization support where appropriate following OTM Book18 Guidelines.

Regarding core spine trails, we would propose the inclusion of user etiquette signage posted strategically along the network. With a growing user base in hand, we believe these measures are important to every-ones safety.

Please reference Attachment A

Lastly, we also reviewed the Ontario e-scooter pilot program guidelines and agree with the overall direction established and would advise adopting same.

In closing, thank you for providing DRCC with an opportunity to provide feedback. As cross-users of the same active transportation network, we are encouraged with what we are seeing and are optimistic our suggestions will be helpful as the by-law moves to final approval.

Respectfully,

A handwritten signature in black ink that reads "Ron Lalonde".

Ron Lalonde
Executive Director
Durham Region Cycling Coalition
www.durhamsafecycling.ca

Attachment A

- OTM Book 18 Guidelines referenced for MUP Centre Line, Symbol paint marking and conflict zones.



Advocating for Safe Cycling Throughout Durham Region



Figure 4.19 – Typical Pavement Markings for Two-Way In-Boulevard Multi-Use Paths



Figure 4.16 – Yellow Contraflow Lane Line

- OTM Book 18 Guidelines - Cross ride configuration.

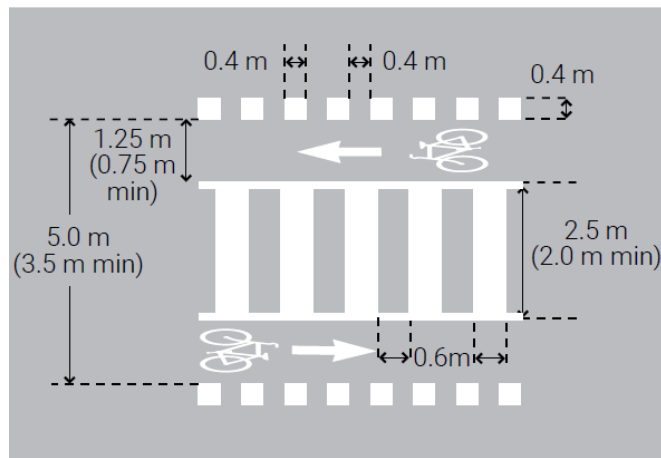


Figure 6.3 – Combined Crossride

Advocating for Safe Cycling Throughout Durham Region

- OTM Book 18 referenced for MUP Signs configurations currently in use.



- OTM Book 18 referenced for Road Signs.



WC-44T (TAC)
(300 x 600 mm)



Wc-32T (Variant)
(300 x 600 mm)

Figure 6.17 – Trail/Path Crossing Tab Sign

- Sample User Étiquette Trail Signage



Summary of Staff's Jurisdictional Review of e-scooters

Region of Durham	City of Brampton	City of Hamilton	City of Mississauga	City of Ottawa	Region of Waterloo area municipalities	City of Windsor	Proposed for City of Oshawa
Operating a Micro-mobility Share Program							
Base on local municipality agreements	Yes (2022)	Currently Under Review	No	Yes (2020-2022)	Yes (Target Spring/Summer 2022)	Yes (2020)	Yes
Personal Use Permitted							
Yes	Yes	Yes	Yes (2021)	Yes	Yes (Target July 2022)	Yes	Yes
Sidewalk Riding Permitted							
No (unless signed)	No	No	No	No (sidewalk no ride zones were established in certain areas)	No	No	No
Permitted on Roads with posted speed of less than 50 km/hr							
Yes	Yes	Yes	Yes	Yes	Yes, Regional	Yes	Yes
Permitted on Roads with posted speed of greater than 50 km/hr							
Yes, on regional roads with posted speeds of 60 km/hr or lower unless within bicycle lanes	Yes, on roads with posted speeds of 60 km/hr or lower	Only within a bicycle lanes	No	No, unless within a reserved bicycle lane.	No	No	No
Permitted within Bicycle Lanes							
Yes	Yes	Yes	Yes	Yes	Yes, all regional roads with bicycle lanes	Yes	Yes

Region of Durham	City of Brampton	City of Hamilton	City of Mississauga	City of Ottawa	Region of Waterloo area municipalities	City of Windsor	Proposed for City of Oshawa
Permitted on Trails							
Not applicable, local municipality decision	Yes	No	No	Yes, except National Capital Commission pathways	N/A	No	Yes
Permitted on Multi-use path (within the road right-of-way)							
Not applicable, local municipality decision	Yes	Yes	Yes	Yes	Yes, all regional roads	Yes	Yes
Permitted within Parks							
Not applicable, local municipality decision	Yes	No	No (including transit)	Yes, except where cycling, skateboarding or rollerblading is prohibited	N/A	No	Yes
Restricted Areas							
Applies only to regional roads and property	N/A	N/A	Not on city owned land	Specified deployment area	N/A	Yes (share program operates in 15% of the City)	To be determined
Permitted Operating Speed (Maximum of 24 km/h)							
Follows Provincial Rules	20 km/h (max) 15 km/h in parks, high pedestrian areas and paths	Follows Provincial Rules	Follows Provincial Rules	20 km/hr 12 km/hr on Multi-use paths through transit stations, 15 km/hr through University of Ottawa campus	N/A	20 km/hr except waterfront pathways (15 km/hr)	20 km/h (max) 15 km/h in parks, high pedestrian areas
Permitted Operator Age (16 years or older)/Helmet use (for 18 year or younger)							
Follows Provincial Rules	N/A	Follows Provincial Rules	Follows Provincial Rules	Follows Provincial Rules	Helmets mandatory for all	Helmets mandatory for all	Follows Provincial Rules

Region of Durham	City of Brampton	City of Hamilton	City of Mississauga	City of Ottawa	Region of Waterloo area municipalities	City of Windsor	Proposed for City of Oshawa
Parking Restrictions							
Only allowed to park in an authorized zone/cannot obstruct others	N/A	N/A	N/A	Sidewalk furniture zone/close to curb/ 2 m clearance of footpaths/parking lots/delineated on-street parking spaces, designated demarcated parking locations No parking zones were also established	N/A	Cannot be left anywhere in right-of-way unless permitted by encroachment agreement or by-law	Only allowed to park in an authorized zone/cannot obstruct others
Fines							
N/A	N/A	N/A	Moving violations, (sidewalk) enforced by Peel Police Non-moving (blocking sidewalk) enforced by By-law officers E-scooter use on park trails and in park enforced by city security	\$150/sidewalk riding	N/A	N/A	TBD

Region of Durham	City of Brampton	City of Hamilton	City of Mississauga	City of Ottawa	Region of Waterloo area municipalities	City of Windsor	Proposed for City of Oshawa
Other							
Maintain 1m distance from pedestrians and other users/give way to pedestrians	N/A	N/A	N/A	Not permitted one-half hour before sunset to one-half hour after sunrise due to visibility	N/A	N/A	N/A

List of Stakeholders

- Durham Region Planning and Economic Development
- Durham Region Transit
- Durham Region Works
- Durham Regional Police Services
- Durham Social Services
- Durham Region Paramedic Services
 - All Area Municipalities in Durham
 - City of Pickering
 - Municipality of Clarington
 - Town of Ajax
 - Township of Brock
 - Township of Scugog
 - Township of Uxbridge
 - Town of Whitby
 - Cycling Clubs
 - Oshawa Cycling Club
 - Durham Cycling Club
 - Durham Region Cycling Coalition
 - Durham Mountain Biking Association
 - Clarington Cycling Club
 - Uxbridge Cycling Club
 - Ontario Tech University
 - Trent University
 - Durham College
 - Durham Municipal Insurance Pool
 - Accessibility for Ontarians with Disabilities Act Alliance
 - Waterfront Regeneration Trust
 - CNIB Foundation

- Shared micromobility service providers
 - o Bird Canada
 - o Neuron Mobility
 - o SCOOTY
 - o Spin Mobility



**By-law -2022
of The Corporation of the City of Oshawa**

being a By-law to amend the City of Oshawa's Skateboards and Bicycles By-law 78-91, as amended ("Skateboards and Bicycles By-law"), the Traffic and Parking By-law 79-99, as amended ("Traffic and Parking By-l"), and the Parks and Facilities By-law 83-2000, as amended ("Parks and Facilities By-law").

WHEREAS Council for the City of Oshawa has adopted the Skateboards and Bicycles By-law, the Traffic and Parking By-Law, and the Parks and Facilities By-law to regulate the use of bicycles and other devices in the City of Oshawa;

AND WHEREAS pursuant to subsection 11(3)1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (*"Municipal Act, 2001"*) a by-law may be passed by a council of a municipality relating to the regulation of highways and parking within the municipality;

AND WHEREAS Ontario Regulation 389/19 of the *Highway Traffic Act*, R.S.O. 1990, c. H.8 (*"Highway Traffic Act"*) establishes a pilot project to evaluate the use and operation of electric kick-scooters;

AND WHEREAS Ontario Regulation 389/19 prohibits a person from operating an electric kick-scooter on a highway, sidewalk, trail, path, walkway, public park or exhibition ground that is under the jurisdiction of a municipality, unless such operation is permitted by and in accordance with the regulation and a municipal by-law;

AND WHEREAS on June 20, 2022, Council for The Corporation of the City of Oshawa passed Recommendation of DS-22-163 to enact all necessary by-laws to permit and regulate

the use of electric kick-scooters in the City of Oshawa in accordance with Ontario Regulation 389/19 of the *Highway Traffic Act*;

NOW THEREFORE the Corporation of the City of Oshawa by its Council enacts as follows:

1. The Skateboards and Bicycles By-law is further amended as follows:

a) Section 1, Definitions, is amended by adding the following definitions in alphabetical order:

“(d.1) “ELECTRIC KICK-SCOOTER” as defined in subsection 1(1) of Ontario Regulation 389/19 of the Highway Traffic Act;”

b) Subsection 2.1 is amended by inserting the words “and ELECTRIC KICK-SCOOTERS” after the phrase, “POWER-ASISSTED BICYCLES”.

c) A new Subsection 2.2 is included immediately after Subsection 2.1, as follows:

“Persons shall be permitted to operate ELECTRIC KICK-SCOOTERS on any ROADWAY with a maximum speed of 50 km/h or less in accordance with Schedule XVII of the Traffic and Parking By-Law 79-99, as amended, in designated bicycle lanes in accordance with Schedule XXV of the Traffic and Parking By-Law 79-99, as amended, and on “MULTI-USE TRAILS;”

d) Section 4, Crossing is amended by inserting the words “, ELECTRIC KICK-SCOOTER,” after the word, “BICYCLE”.

e) Section 5, “Right of Way Rules”, is amended by inserting the words “, ELECTRIC KICK-SCOOTER,” after the word “BICYCLE”.

- f) Subsection 5(a) is amended by inserting the words “, ELECTRIC KICK-SCOOTER,” after the word “BICYCLE”.
- g) Subsection 5(b) is amended by inserting the words “, ELECTRIC KICK-SCOOTER,” after the word “BICYCLE”.
- h) Section 6, “Prohibition in Parks where Signed”, is amended by inserting the words “, ELECTRIC KICK-SCOOTER,” after the word “BICYCLE”.
- i) Section 8, ‘Prohibition Against Obstruction”, is amended by inserting the words “, ELECTRIC KICK-SCOOTER,” after the word “BICYCLE”.
- j) Section 9, “Seizure” is amended by inserting the words “, ELECTRIC KICK-SCOOTER,” after the word “BICYCLE”.

2. The Traffic and Parking By-Law is further amended as follows:

- a) ARTICLE 2.0 “DEFINITIONS”, is amended by adding the following definitions in alphabetical order:

“(n.1) ELECTRIC KICK-SCOOTER” as defined in subsection 1 (1) of Ontario Regulation 389/19 of the Highway Traffic Act;”

- b) Subsection 4.50, “Designated Bicycle Lanes”, is amended by inserting the words “, ELECTRIC KICK-SCOOTERS” after the word “BICYCLES”.

- c) A new subsection 4.53 is included immediately after Subsection 4.52, as follows:

“Persons shall be permitted to operate ELECTRIC KICK-SCOOTERS on any HIGHWAY with a maximum speed of 50 km/h or less in accordance with Schedule XVII to this by-

law, and in designated bicycle lanes in accordance with Schedule XXV of this Traffic and Parking By-law.”

3. The Parks and Facilities By-law is amended as follows:

a) Subsection 1.11 is amended by adding the following definitions in alphabetical order:

“(e.2) “Electric Kick-Scooter” as defined in subsection 1 (1) of Ontario Regulation 389/19 of the Highway Traffic Act;”

b) Subsection 1.11(r), “Vehicle” is amended by inserting the words “Electric Kick-Scooters,” after the words “Power-Assisted Bicycle,”.

c) Subsection 5.11 is amended by inserting the words “, Electric Kick-Scooters” after the word “Bicycle”.

d) Subsection 5.11(a) is amended by inserting the words “, Electric Kick-Scooters” after the word “Bicycle”.

e) Subsection 5.11(b) is deleted and replaced with the following:

“travel at speeds 20 km/h or less,”

f) Subsection 5.11(i) is amended by inserting the words “, Electric Kick-Scooters” after the word “Bicycle”.

4. This By-law shall come into full force and effect on the date of passage.

By-law passed this day of , 2022.

Mayor

City Clerk