

Report to Council



Date: April 12th 2021
To: Council
From: City Manager
Subject: Motor Vehicle Act Pilot Project related to E-scooters
Department: Integrated Transportation

Recommendation:

THAT Council receives, for information, the report from the Integrated Transportation Department dated April 12th, 2021, with respect to allowing e-scooters to access the road network through a Motor Vehicle Act Pilot Project,

AND THAT Council gives reading consideration to Bylaw No. 12138 being Amendment No. 39 to the Consolidated Traffic Bylaw No. 8120;

AND THAT Staff report back before the end of 2021 with an evaluation of the Bikeshare (Micromobility) Permit Program.

Purpose:

To allow e-scooters to access the road network through a Motor Vehicle Act Pilot Project.

Background:

While relatively new to our community, e-scooters are an emerging mode of transportation worldwide that have the potential to help deliver on many of our community's priorities. As a space-efficient and low-carbon transportation mode, e-scooters can provide an additional travel option for residents and visitors alike. Through the development of the Transportation Master Plan, it is clear that we will need to find low-cost ways to move more people through our existing road space. This will be especially important in our Urban Centres and Core Area where the majority of our future growth is focused.

Allowing e-scooters to use public streets aligns with the Council Priority that "Emerging technologies are making it easier to get around." Additionally, it directly relates to many of the goals from Imagine Kelowna, including:

- Embracing diverse transportation options to shift away from our car-centric culture

- Concentrating on growing vibrant urban centres and limiting urban sprawl
- Supporting innovation that helps drive inclusive prosperity
- Taking action and being resilient in the face of climate change.

Similar to bicycles and e-bikes, e-scooters can provide a quick travel option within and between our Urban Centres for trips that are too far to walk but too short to make transit a practical option. Additionally, they allow people to get where they need to go without searching for and paying for parking and can be uniquely convenient for people that may wish to avoid breaking a sweat getting where they are going. Overall, experience from other communities has shown that e-scooters can help make it easier for people to leave their car at home more of the time, making car-light living more convenient.

Shared e-scooter programs elsewhere have provided lessons in how to best manage this new mode. Kelowna can use these lessons to be proactive in addressing common concerns related to safety and conflicts with people walking and other modes of transport. These experiences will allow Kelowna to optimize the benefits from this emerging mode, while working to manage and minimize any negative impacts.



Figure 1 E-scooters are delivering a new low-carbon transportation in most major metropolitan areas around Kelowna including in Seattle, Calgary, Edmonton and Spokane.

This report provides further detail on the actions staff will be taking to monitor the program, engage with key partners and stakeholders, and provide safety education and information to help ensure the safe incorporation of e-scooters into our community.

Discussion:

In 2019, the City permitted e-scooters to use a limited selection of shared pathways. Due to restrictions within the provincial Motor Vehicle Act, e-scooters were prohibited from operating on public streets, including bike lanes. These limitations made the widespread use of e-scooters for day to day travel infeasible and limited the utility of the system.

In May 2019, the City of Kelowna petitioned the Province to allow the use of e-scooters on City streets and bike lanes. Subsequently, the Province announced the Motor Vehicle Act Pilot Project program, and in May 2020, Council consented to participate in the pilot program.

In April 2021 the Province announced that Kelowna, along with five other BC communities, had been selected for the *Electric Kick Scooter Pilot Project*, enabling participating municipalities to enact bylaws allowing e-scooters to operate on public streets.

Bylaw Change

The bylaw change proposed will allow residents and visitors to ride e-scooters where bikes and e-bikes are currently permitted in Kelowna. This would allow e-scooters on bike lanes, streets and shared pathways while being banned from riding on sidewalks. The proposed bylaw amendment brings into force the new provincial regulations relating to e-scooters. The regulations, which last 3 years, provide an opportunity for participating communities and the B.C. government to research, test and evaluate the safety and efficiency of electric kick scooters. The provincial regulations are included as *Attachment 2* of this report.

The bylaw change will also grant Bylaw Services, in addition to the local RCMP, the ability to ensure compliance among e-scooter users.

Shared E-scooters

If approved by Council, this bylaw change will allow people to ride both privately owned e-scooters and shared e-scooters (delivered under the Bikeshare [Micromobility] Permit Program) where bikes and e-bikes are currently permitted in Kelowna.

With the expanded area where e-scooters can be used, Staff expect them to be used primarily as a transportation option, allowing connections from transit to final destinations and access to businesses and amenities. This is how shared e-scooter services are used in other Canadian cities and in most places in North America when e-scooters can travel across the community using city streets and the bike network.

Using publicly accessible data feeds, apps like the Transit app will allow residents to plan multimodal trips with e-scooters and transit. This could enhance our public transit service by eliminating the need for a transfer or long walk at the end of a journey for some riders.

Improved Data Collection and Coordination

Staff are working proactively to ensure program success by enhancing data collection and coordinating with key partners and organizations.

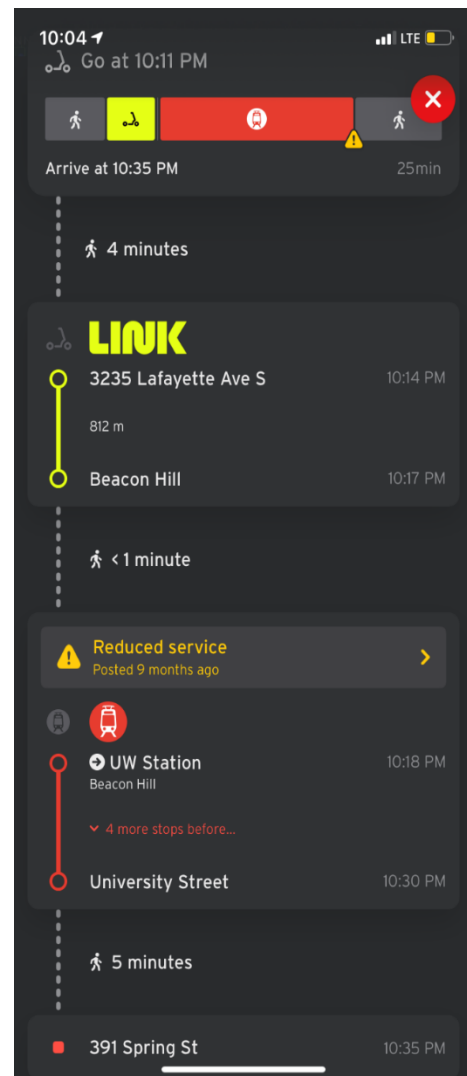


Figure 2 A multi-modal e-scooter and transit trip as displayed in the Transit App for a sample trip in Seattle.

To enhance data collection, a data dashboard will track usage data from each shared e-scooter, allowing staff to assess compliance with the various conditions of the permit. Staff will use this data to monitor shared e-scooter providers and initiate interventions where needed.

Staff have also been liaising with key partners internally, including Bylaw Services, Business Licensing and external partners like the Downtown Kelowna Association, RCMP, Okanagan College, UBCO and Interior Health to discuss the program and proactively address any questions or concerns.

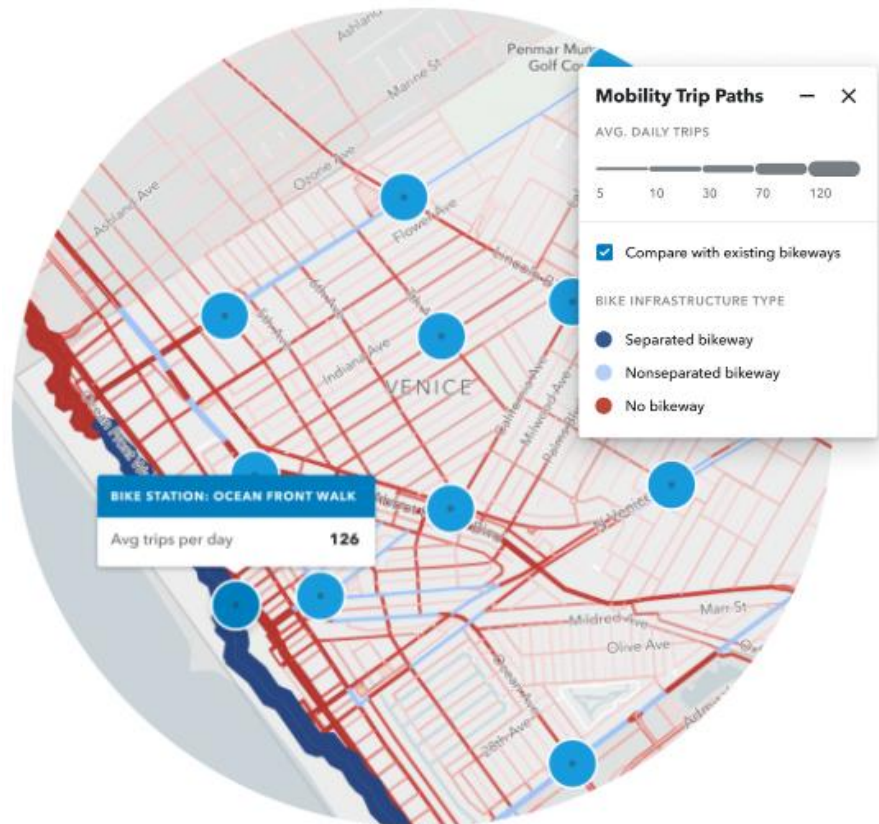


Figure 3 A data dashboard will help staff manage shared e-scooters day-to-day and also provide valuable insights about the nature of trips and travel on e-scooter within Kelowna.

Evaluation Process and Methodology

Council can expect Staff to report back before the end of 2021 with an evaluation of the program. Using various data sources and information from other jurisdictions, Staff will conduct a data-led decision-making process to address any concerns that arise. The following data sources will be collected and analyzed to inform this evaluation:

Data	Purpose	Source
Ridership	How many people are using e-scooters?	Service operator data sharing
Destinations	Where are people going?	Service operator data sharing
Routes	How are people getting to their destination?	Service operator data sharing
User Survey	Why and how are people using shared e-scooters?	Developed at the City, delivered by service operators
Public Survey	What is the public's opinion of shared e-scooters?	City-led

Service Requests	What challenges are residents experiencing as a result of the service?	City-led
Safety Monitoring	How many, why and when are people injured related to e-scooters?	Staff, Shared E-scooter Operators*

**Staff are still in the process of connecting with Interior Health to understand whether tracking injuries associated with e-scooters compared to other small vehicles like bikes, skateboards, and e-bikes is possible.*

The evaluation of the program for council will be submitted to the Province as well in compliance with the terms of the Provincial MVA Pilot Project.

Changes and Additional Information for 2021

The following items are a non-exhaustive list of changes or additional information for Council outside the existing Bikeshare Permit Program requirements.



Figure 4 The Okanagan Rail Trail, one of Kelowna's busiest shared pathways, has seen dramatic increases in use throughout the Covid-19 pandemic.

is high, specifically in the summer months. While shared pathways function well during low levels of use, as use rises, conflicts arise. While widening pathways can help, at a certain point, separation becomes a more effective strategy to keep everyone moving comfortably and safely.

Shared Pathway Safety

In November 2020, Staff delivered a memo related to the *Shared Pathway Conflict Study* to investigate current conditions and effective strategies to resolve conflicts. As our shared pathways have grown in popularity, we have heard from the public and Council that conflicts between users are increasing.

Today, we experience conflicts on some of our shared pathways when use

It is important to recognize that congested pathways due to growing demand from people walking and biking is both a good problem to have and one worth solving. While serious collisions for people walking and biking most often involve motor vehicles, collisions between cyclists and pedestrians still occur. Therefore, it is crucial to ensure shared pathways remain safe and comfortable places for users of all ages and abilities.

To address growing conflicts on busy shared-use paths, such as in City Park, the most effective strategy is to separate people walking and biking using design solutions. On busy segments where separation can't be achieved due to constrained space or other issues, education and enforcement can be used to help moderate conflicts.

Staff will be following up on the results and recommendations of the Shared Pathway Conflict Study in the future. Once staff understand our existing challenges in more detail, we can then deliver targeted enforcement, education, and infrastructure changes to maximize the safety and utility of Kelowna's shared pathways.

Covid-19 Protocols

In March 2020, the permit program adopted COVID-19 protocols for all operators. These describe the process of sanitizing vehicles, PPE requirements for Staff and contractors, and public communications related to the pandemic. These protocols will remain in place until we receive updated guidance related to COVID-19 from B.C.'s Provincial Health Officer.

Educational Handbill

As communicated to Council in 2020, every scooter will be deployed with a paper handbill affixed to the handlebar describing key messages and expectations for riders. Cities like Portland, Oregon have used this as an additional tool to educate riders on safe riding and the rules of the road.

Improved In-App Education

To help address safety and education concerns, the City has standardized a set of minimum key messages displayed on a rider's smartphone before the vehicle unlocks. These include the following:

- Wear a helmet
- The location of brakes, bell, and throttle on the vehicle
- How to start riding
- Practice considerate riding around pedestrians
- Don't park e-scooters in a way that obstructs sidewalks, driveways, curb ramps and bike lanes
- Don't ride while intoxicated



Figure 5 An educational handbill on a shared e-scooter from Portland, OR.

All shared e-scooter operators will provide additional detail to riders about how to use their service and the expectations of their conduct.



Figure 6 No parking and no riding zones can be indicated by geofencing, smartphone notification, text message and occasionally on the vehicle display itself.

No Parking and No Riding Zones Established

E-scooters in Kelowna need to stay within City boundaries based on the provincial rules restricting their use outside of our community. There are also locations where parking an e-scooter improperly could cause significant challenges, such as the boat lock on the Waterfront Walkway. Staff have ensured that e-scooters are prevented from riding and parking in specific locations where fines for riders, public property damage or friction with a key partner of the City could materialize. These zones may be expanded to more areas as needed or in association with time-limited outdoor events.

Helmet Use

All the shared e-scooter operators expected to deliver service will provide options to support compliance with the helmet law.

The majority will be providing free helmets that are shipped directly to the user's home when requested through the app. Others will provide public helmet giveaways associated with in-person training (when that becomes an option, depending on COVID-19 protocols). These programs significantly reduce the cost barrier of helmets for riders and support helmet law compliance and safety.

Shared helmet programs are no longer recommended due to safety concerns (a helmet can be easily damaged, though it is not visible) and public health considerations.

New Operators

New permits for the Bikeshare (Micromobility) Permit Program have not yet been issued, aligning with Staff's commitment to not allow service without certainty around the provincial changes.

Anticipated operators for 2021 include some e-scooter companies from 2019 as well as Lime and Helbiz, which each have experience delivering shared e-scooters in dozens of markets on multiple continents. Operators will be issued permits to operate shared e-scooters in Kelowna, pending Council adoption of the Traffic Bylaw amendment.

Conclusion:

Pending Council approval, e-scooters will be allowed to access the road network. Staff will work to inform the public of the changes and take the actions described in this report to ensure safety and set the shared e-scooter program up for success.

Staff will report back before the end of 2021 with an evaluation of the Bikeshare (Micromobility) Permit Program, with a focus on shared e-scooters.

Internal Circulation:

Active Living and Culture
Corporate & Protective Services
Corporate Strategic Services
Financial Services
Infrastructure
Planning and Development Services

Considerations not applicable to this report:

Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
Financial/Budgetary Considerations:
External Agency/Public Comments:
Communications Comments:

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A. Newcombe, Divisional Director, Infrastructure

Attachment 1 – Presentation Slides - Allowing E-Scooters to Access the Road Network
Attachment 2 – Electric Kick Scooter Pilot Project Regulation
Attachment 3 – Summary of Bylaw Amendments

cc: Deputy City Manager
Divisional Director, Corporate and Protective Services
Divisional Director, Corporate Strategic Services
Divisional Director, Financial Services
Divisional Director, Infrastructure
Divisional Director, Partnership & Investments