

# Report to Council



**Date:** June 28, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** Additional Restrictions for Shared E-scooters  
**Department:** Integrated Transportation

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## **Recommendation:**

THAT Council receives for information, the report from Integrated Transportation dated June 28, 2021, with regards to additional restrictions for shared e-scooters;

AND THAT Council requires e-scooter permit holders to implement permit changes identified in the Reports from Integrated Transportation dated June 14, 2021 and June 28, 2021 by June 30, 2021;

AND THAT any e-scooter permit holder unable to meet the June 30, 2021 deadline have their permit cancelled with the option to re-apply for an amended permit for the remainder of the 2021-2022 permit period;

AND THAT the number of e-scooters provided be reduced and limited as per the report of Integrated Transportation dated June 28, 2021;

AND THAT the location of e-scooter drop-offs be limited as per the report of Integrated Transportation dated June 28, 2021;

AND THAT shared e-scooters be prohibited on the closed portion of Bernard Avenue and the waterfront walkway from the City Park Underpass to Rotary Marsh;

AND FURTHER THAT the Additional Restrictions on shared-scooter companies identified in the Report from Integrated Transportation dated June 28, 2021 be implemented

## **Purpose:**

To provide Council with options for additional restrictions for shared e-scooters, including the steps to cancel the e-scooter program, if desired.

**Background:**

On June 14, 2021, Council received a report on the challenges and wins of the e-scooter program and adopted the following resolution:

Resolution	Date
THAT Council direct staff to consider additional program restrictions aimed to achieve better rider compliance and improve public safety; including but not limiting the number of units provided, the location of unit drop off and additional restricted riding areas and report back to Council;	June 14, 2021
AND THAT Council direct staff to report back with the steps associated with cancelling the E-Scooter Permit Program, should that be the desire of Council.	

**Discussion:** On June 14<sup>th</sup>, Council directed staff to cease the issuance of any further permits for shared e-scooters in 2021 and to implement 19 recommended actions to improve safety and rider compliance. In addition, Council raised several health, safety and nuisance concerns regarding e-scooter use to date. The recommended actions in this report are designed to address these concerns and would result in 85 per cent fewer scooters throughout the City, including popular tourist areas and downtown in advance of the 2021 summer tourist season. Should Council wish to further regulate e-scooters outside of the permit program or cancel the program until 2022, the steps to do so and alternate recommendations are included at the end of this report.

- Recommended Action #1 - Implement Actions by June 30<sup>th</sup>: This action recognizes the time sensitivity of Council's concerns and would require the e-scooter companies to implement the recommended actions in both the June 14<sup>th</sup> report and this report by June 30<sup>th</sup>, in advance of the tourist season.

Since June 14<sup>th</sup>, staff have been in discussion with the four e-scooter companies permitted under the Bikeshare (Micromobility) Permit Program and they are aware of the potential new restrictions. Three companies have reported it will take several weeks or more to implement the required changes, and one company has reported they are able to quickly implement the new permit condition requirements. This is due to variations in the equipment and technological capabilities of each company.

Companies that cannot comply by June 30<sup>th</sup> would have their shared e-scooter permits cancelled, likely resulting in one shared e-scooter company operating as of July 1<sup>st</sup>. Companies with cancelled permits would have the opportunity to reapply for the 2021 – 22 permit season, once they can demonstrate compliance. The e-scooter companies have been notified that Council may make changes to the permit program or decide to cancel the program.

Recommended Action #2 - Limit the Number of Units Provided: This action would reduce the number of e-scooters for the remaining shared e-scooter company to 150 citywide as of July 1<sup>st</sup>. Additionally, this action would cap the total number of e-scooters in the city to no more than 700, regardless of how many companies are permitted to operate. Within the overall cap, permitted companies would have the opportunity to compete to increase the number of scooters in their fleet. This is intended to incentivize companies to self-enforce and deliver high-quality service. If

only one scooter company is operating, the maximum number of scooters that could be in the City would be 350.

- Recommended Action #3 - Limit the Locations of Unit Drop Off: Since June 8<sup>th</sup>, companies have been limited to deploying only 30 per cent of their fleet downtown. This means that the City's permitted company would be allowed to deploy no more than 45 of its 150 total e-scooters downtown as of July 1<sup>st</sup>. Additionally, this action would add a further 'downtown cap' of no more than 200 e-scooters downtown, regardless of how many companies are permitted to operate. Companies would continue to be required to suspend service downtown between 10:30 pm and 4 am, 7 days per week.
- Recommended Action #4 - Additional Restricted Riding Areas: This action would restrict shared e-scooters on Bernard Avenue during the summer closure, as well as the waterfront walkway from the City Park Underpass to the Rotary Marsh. These areas are currently speed restricted to 13 km/h. This new restriction would mean the throttle on the e-scooter would not function in these areas. Riders would also not be able to end trips within these areas. The ability to detect and restrict e-scooters from these areas would apply only to shared e-scooters; privately owned e-scooters and long-term rental e-scooters do not have this ability. Bylaw amendments are required to prohibit non-permit e-scooters from these areas, and an alternate recommendation is provided for Council consideration.

One potential side effect of restricting shared e-scooters from heavily used routes could be confused riders manually pushing the e-scooters once the throttle disengages, as well as clusters of e-scooters parked at the edges of restricted zones. Preferred parking areas will be installed at the edges of these areas to guard against disorderly parking.

The waterfront walkway from the City Park Underpass to the Rotary Marsh is one of the city's most travelled alternate transportation corridors, providing connectivity across Harvey to popular destinations north and south of the highway. The next north-south alternate transportation corridor that is separated from traffic is Ethel, a full kilometer to the east. A side effect of restricting shared e-scooters from the entire waterfront walkway is that riders will have to shift to adjacent roadways, which do not all have bicycle lanes and are less suitable for people of all ages and abilities.

- Recommended Action # 5 – Additional Restrictions:
  - **Self-Enforcement Reports**: This action would require shared e-scooter companies to submit biweekly self-enforcement reports to city staff itemizing the number of warnings and fines distributed to their riders. This will help promote company enforcement of safe riding behaviours, such as improper parking, double riding, and sidewalk riding, among others.
  - **ID Verification**: The challenge with underage riding is likely related to parents permitting their children to ride e-scooters, as well as underage riders with access to parental credit cards. This action would require ID verification when opening a customer account to help reduce this risk.
  - **Disabling Group Ride Functionality**: Currently one person can unlock multiple e-scooters with one phone. Companies could disable this feature, which may help limit the number of children with parent permission as well as other underage riders that use shared e-scooters.

**Conclusion:** Kelowna's shared e-scooter pilot program saw an overwhelming ridership response in a very short time – with demand far outpacing expectations. While this is an indicator of success, it has also brought challenges and disruptions related to bringing transportation more fully into the "shared economy." The combined impact of the recommended actions in this report and the June 14<sup>th</sup> report are designed to significantly reduce the number of e-scooters and improve safe riding behaviors in the near term, to help address concerns related to the uncertainty of the 2021 tourist season. Staff will continue to closely monitor the program and work with IH to collect and analyze safety data over the summer. The recommended actions in this report could be revisited alongside a full program evaluation in the fall.

### **Steps to Cancel the E-Scooter Program**

To formally cancel the shared e-scooters services in Kelowna, a resolution would be required from Council. The resolution would cancel the permits issued and require the e-scooter companies to remove their vehicles from the public right-of-way within 14 days. An alternate recommendation is provided below.

The Bikeshare (Micromobility) Permit Program contains specific language that the City may cancel or change the permits conditions at any time. All current operators have been reminded of these terms of the permit and provided notice from the City Clerk that the City may cancel the program or individual permits. Council may, by resolution, cancel the program or individual permits. If so directed by Council, staff will provide formal notice and work with operators to unwind or suspend operations of the currently issued permit holders for shared e-scooters under the Bikeshare (Micromobility) Permit Program.

### **Alternate Recommendations:**

1. THAT Council direct staff to cancel the currently issued permits for shared e-scooters under the Bikeshare (Micromobility) Permit Program by providing written Notice to all current permit holders.
2. THAT Council direct staff to bring forward amendments to the Traffic Bylaw and Parks and Public Spaces Bylaw to prohibit the operation of e-Scooters on the closed portion of Bernard Avenue and the waterfront walkway from the City Park Underpass to the Rotary Marsh

### **Internal Circulation:**

Office of the City Clerk  
Communications  
Community Safety  
Infrastructure  
Risk Management

### **Considerations not applicable to this report:**

***Legal/Statutory Authority:***

***Legal/Statutory Procedural Requirements:***

***Existing Policy:***

***Financial/Budgetary Considerations:***

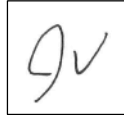
***External Agency/Public Comments:***

***Communications Comments:***

Submitted by: M. Worona, Mobility Specialist

Reviewed and Approved by: M. VanZerr, Strategic Transportation Planning Manager

**Approved for inclusion:**

A square box containing a handwritten signature in black ink. The signature appears to be 'J. Vos'.

J. Vos, Divisional Director, Infrastructure

Attachment 1: Presentation