

Report to Council



Date: February 26, 2024
To: Council
From: City Manager
Subject: 2024 Micromobility Program – Overview of Contract Terms
Department: Integrated Transportation

Recommendation:

THAT Council receives, for information, the report from Integrated Transportation, dated February 26th 2024, with regards to the Micromobility Program.

AND THAT Council direct staff to conduct a selection process for the next operating term of the Micromobility Program.

Purpose:

To summarize key contract terms for the next operating period of the Micromobility Program.

Council Priority Alignment:

Transportation

Background:

In December 2023, the provincial government announced a four-year extension of the e-scooter pilot to April 2028. At the January 22nd, 2024 meeting, Council passed a resolution to continue Kelowna’s participation in the pilot:

Previous Council Resolution

Resolution	Date
AND THAT Council continue Kelowna’s participation in the provincial e-scooter pilot, with the changes outlined in this report.	January 22 nd , 2024

The next step is for staff to hold a competitive selection process for one operator to provide shared e-scooters and e-bikes. A single operator for e-scooters and e-bikes will maximize ridership, minimize staff time related to performance monitoring, and provide the certainty needed for companies to invest in local staff and facilities.

The purpose of this report is to summarize key contract terms, incorporating Council's input from the January 22nd meeting, and move forward to procurement based on the updated terms.

Discussion:

The following includes a summary of proposed contract terms by topic area:

Term and Fleet Size

The contract term is two years, with two optional years at the City's discretion based on the Operator meeting performance objectives.

The maximum fleet size is unchanged from previous years: 700 e-scooters and 300 e-bikes, for 1,000 vehicles in total.

Operators must deploy at least 100 vehicles each day as weather conditions permit. E-bikes must comprise at least 40 per cent of the operator's fleet on any given day. Operators cannot have more than 200 e-scooters downtown.

Parking

In the downtown, vehicles must be parked in areas established by the City. The operator is responsible for ensuring vehicles are located within the established parking areas downtown at the start of each day (6 AM on weekdays; 8 AM on weekends).

Outside downtown, the current rules will continue to apply with no established parking areas but requirements for vehicles to be parked in such a way that doesn't hinder pedestrians or other vehicles. There is no time limit for vehicles to be parked provided they are parked correctly.

The standard for parking compliance is 97 per cent. The City is free to conduct random audits of parking at any time. For the upcoming operating term, staff will conduct audits before regular business hours to ensure parking compliance in the mornings.

If the operator fails to meet the compliance standard, they can have their fleet size reduced by 50 vehicles every two weeks. The operator can regain fleet size by meeting compliance standards over two weeks.

Operator Response

The operator must have a 24/7 customer service phone number and email so the public can report safety concerns and complaints. The phone number must be printed visibly on each vehicle.

The operator must move improperly parked vehicles within one hour of receiving notification between 4 a.m. and midnight and four hours between midnight and 4 a.m. Any damaged or inoperable vehicles must be picked up within 24 hours.

The City may repark or remove incorrectly parked vehicles at any time. The cost of removing vehicles will be deducted from the operator's security deposit.

The operator must provide the City with a direct contact for staff that are capable of moving vehicles.

Education and Enforcement

The operator is responsible for informing its customers on how to use its services and how to operate and park its vehicles legally and in compliance with any requirements set out in the contract.

The operator must have visible language on each vehicle, within their app, and on their website that requires customers to follow all relevant laws and age requirements.

The operator is responsible for continual and ongoing education of its customers around common behavioural issues (e.g. users not wearing helmets or double riding).

The operator must submit monthly self-enforcement reports to the City, itemizing warnings and fines distributed to their customers for improper riding or parking.

Location Tracking and Geofences

The operator must share a data feed of their vehicles' locations with the City at all times. This will be used to monitor compliance with the contract terms.

The operator must be able to restrict or "geofence" slow speed, no-parking, or no-riding areas. After entering a no-ride area (e.g. the Downtown Waterfront), the vehicle's electric motor stops working. Riders may still be able to manually push or pedal the vehicles in these zones, but the "geofencing" technology causes the electric motor to turn off. Users are also prevented from ending their rental until they leave the restricted area.

Geofences must be tested by the City before the operator can begin service. The City may establish new restricted areas at any time, which the operator must activate within one week of notification.

As noted in the January 22nd report, the Downtown Kelowna Association has requested that shared e-scooters be allowed on Bernard Avenue during the annual Meet Me on Bernard event. With the Downtown Waterfront remaining off-limits, allowing shared e-scooters on Bernard will make it easier to move within downtown, particularly for people connecting from the Abbott ATC.

Staff recommend proceeding with this change, provided Bernard Avenue is designated a slow speed zone of 15 km/h Ave. This is slower than most pedal (i.e. not electric) bicycles. Riding on the sidewalk would be prohibited.

Safety

All e-bikes and e-scooters must be equipped with helmets. E-scooters must have sidewalk detection technology and deliver audible warnings to riders.

Users must scan their identification to verify their age when creating an account. Users must also complete a safety quiz before riding. New users must be limited to half-speed on their first ride.

The operator must ensure the Downtown is a no-riding area after 10:30 p.m. Users must also complete a cognitive test before starting a trip after 10:30 p.m.

Penalties

The City may fine the operator \$50 for each infraction of the contract terms. For example, failure to respond within an hour to move three improperly parked vehicles would result in a \$150 fine.

Insurance and Release of Liability

The operator must hold at least \$5 million of general liability insurance, naming the City as an additional insured. The operator must indemnify and save harmless the City from all claims or costs resulting from the use of their service.

Conclusion:

Shared micromobility enables a significant amount of low-carbon mobility at no cost to taxpayers – equivalent to one-quarter of public transit ridership in peak months.

Throughout the course of the pilot, staff have reviewed feedback from residents and adjusted the program to better meet the City's needs. These contract terms give the City the tools to hold potential operators accountable and ensure the program operates as successfully as possible.

If approved, staff will begin a competitive selection process for the new operating period.

Internal Circulation:

Purchasing

Considerations not applicable to this report:

Communications Comments

Financial/Budgetary Considerations

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

Submitted by:

C. Noonan, Transportation Planner

Reviewed by:

M. VanZerr, Strategic Transportation Planning Manager

Reviewed by:

B. Hallam, Integrated Transportation Department Manager

Approved for inclusion:

M. Logan, General Manager, Infrastructure

Attachments: 2024 Micromobility Program – Overview of Contract Terms Presentation

cc: Divisional Director, Corporate Strategic Services
Divisional Director Financial Services