

Bike Sharing and Electric Kick Scooter Sharing Agreements with Service Providers

Ententes avec des fournisseurs de services de partage de vélos et de trottinettes électriques

Committee Recommendations as amended

That Council:

- 1. Extend the dockless bike sharing pilot for the 2020 season;**
- 2. Include dockless electric kick scooters in this pilot;**
- 3. Approve the fee structure for micromobility sharing systems as detailed in Document 1;**
- 4. Waive the requirements of the Encroachment By-law 2003-446 to allow for the installation of bike sharing and/or electric kick scooter stations or parking areas where required; and**
- 5. Delegate authority to the Manager of Right of Way, Heritage and Urban Design to enter into agreements for the piloting of bike sharing services and/or electric kick scooter services on City lands in 2020 and in accordance with this report; and**
- 6. Direct staff to investigate an in-house bike share program and report back to the Transportation Committee with its findings as part of the Bike Parking Strategy in early 2021.**

Recommandations du comité telles que modifiées

Que le Conseil :

- 1. poursuive le projet pilote de vélo-partage sans station en 2020;**
- 2. intègre au projet pilote les trottinettes électriques sans station;**
- 3. approuve la structure tarifaire pour les systèmes de micromobilité, comme le précise le document 1;**
- 4. lève les exigences du Règlement en matière d’empiètement sur les voies publiques de la Ville (no 2003-446) pour permettre l’aménagement d’installations ou de stationnements pour le vélo-partage et les trottinettes électriques là où c’est nécessaire;**
- 5. délègue au gestionnaire, Emprises, Patrimoine et Design urbain le pouvoir de conclure des ententes pour le projet pilote de services de vélo-partage et de trottinettes électriques sur le territoire de la Ville en 2020, conformément au présent rapport, et**
- 6. demande au personnel de faire l’étude d’un programme de vélopartage interne et de présenter ses conclusions au Comité des transports dans le cadre de la Stratégie de stationnement pour vélos au début de 2021.**

DOCUMENTATION

- 1. Manager’s report, dated 25 May 2020 (ACS2020-PIE-RHU-0007)**
Rapport du gestionnaire, daté le 25 mai 2020 (ACS2020-PIE-RHU-0007)
- 2. Extract of Draft Minutes, Transportation Committee, 3 June 2020.**
Extrait de l’ébauche du procès-verbal, Comité des transports, le 3 juin 2020.

**Report to
Rapport au:**

**Transportation Committee
Comité des transports
3 June 2020 / 3 juin 2020**

**and Council
et au Conseil
10 June 2020 / 10 juin 2020**

**Submitted on May 25, 2020
Soumis le 25 mai 2020**

**Submitted by
Soumis par:
Court Curry**

Manager / Gestionnaire

**Right of Way, Heritage and Urban Design Services / Services des emprises, du
patrimoine et du design urbain**

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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2020-PIE-RHU-0007

**SUBJECT: Bike Sharing and Electric Kick Scooter Sharing Agreements with
Service Providers**

**OBJET: Ententes avec des fournisseurs de services de partage de vélos et
de trottinettes électriques**

REPORT RECOMMENDATIONS

That Transportation Committee recommend Council:

- 1. Extend the dockless bike sharing pilot for the 2020 season;**
- 2. Include dockless electric kick scooters in this pilot;**
- 3. Approve the fee structure for micromobility sharing systems as detailed in Document 1;**
- 4. Waive the requirements of the Encroachment By-law 2003-446 to allow for the installation of bike sharing and/or electric kick scooter stations or parking areas where required; and**
- 5. Delegate authority to the Manager of Right of Way, Heritage and Urban Design to enter into agreements for the piloting of bike sharing services and/or electric kick scooter services on City lands in 2020 and in accordance with this report.**

RECOMMANDATIONS DU RAPPORT

Que le Comité des transports recommande au Conseil :

- 1. de poursuivre le projet pilote de vélo-partage sans station en 2020;**
- 2. d'intégrer au projet pilote les trottinettes électriques sans station;**
- 3. d'approuver la structure tarifaire pour les systèmes de micromobilité, comme le précise le document 1;**
- 4. de lever les exigences du Règlement en matière d'empiètement sur les voies publiques de la Ville (no 2003-446) pour permettre l'aménagement d'installations ou de stationnements pour le vélo-partage et les trottinettes électriques là où c'est nécessaire;**
- 5. de déléguer au gestionnaire, Emprises, Patrimoine et Design urbain le pouvoir de conclure des ententes pour le projet pilote de services de vélo-**

**partage et de trottinettes électriques sur le territoire de la Ville en 2020,
conformément au présent rapport.**

EXECUTIVE SUMMARY

Micromobility systems, such as bike sharing and electric kick scooters (“e-scooters”) promote the goals of the City of Ottawa’s Transportation Master Plan and provide an environmentally friendly transport option for residents and tourists alike.

Bike sharing services, where a cyclist pays for the rental of a bike from a station often located in the right of way, have previously operated in the City of Ottawa, most recently in 2018. The stations were permitted by waiving the provisions of the Encroachment By-law to install the stations within the City’s right-of-way (ROW) as a temporary surface encroachment. The City of Ottawa began a pilot in 2018 ([ACS2018-CCS-TRC-0009](#)) to locate docked and dockless bike sharing stations on City rights-of-way and City property. This pilot was renewed for the 2019 summer season; however, no vendors approached the City of Ottawa to operate a bike share for 2019.

On November 27, 2019, the Ontario government announced a five-year pilot beginning on January 1, 2020 to permit electric kick scooters (“e-scooters”) on public roads.

Recently, there has been a shift among vendors to transition away from “docked” technology in favour of “dockless” technologies. Electric Kick Scooter sharing systems use this “dockless” technology, meaning there will be no physical stations located in the Right-of-Way. Therefore, staff have proposed a new fee structure to ensure the program is cost recoverable. City staff have met with two interested e-scooter companies and a docked bike sharing provider.

Staff are recommending continuing the bike share pilot for 2020 and including electric kick scooters. This would include waiving the Encroachment By-law to allow temporary surface encroachments for stations (where required), and delegating authority to the Manager, Right of Way Management, Heritage and Urban Design to enter into agreements based on the fee structure approved by Committee and Council with interested proponents.

RÉSUMÉ

Les systèmes de micromobilité, comme le vélo-partage et les trottinettes électriques, s’intègrent aux objectifs du Plan directeur des transports de la Ville d’Ottawa et offrent une option de transport écologique aux résidents et aux touristes.

Des services de vélo-partage, qui permettent aux cyclistes de louer une bicyclette à une station, généralement située sur une emprise routière, ont déjà été offerts dans la ville d'Ottawa; la dernière fois, en 2018. On avait alors levé les exigences du *Règlement en matière d'empiètement sur les voies publiques* pour que les stations puissent être installées sur les emprises routières municipales comme empiètement temporaire. Cette année-là, la Ville d'Ottawa avait lancé un projet pilote (ACS2018-ECC-Comité des transports-0009) visant à localiser des emplacements de vélo-partage, avec et sans station, sur les emprises et les terrains de la Ville. Ce projet pilote avait été renouvelé pour la saison estivale 2019; toutefois, aucun fournisseur n'a offert ses services.

Le 27 novembre 2019, le gouvernement de l'Ontario a annoncé un projet pilote de cinq ans, autorisant à partir du 1^{er} janvier 2020 la présence de trottinettes électriques sur la voie publique.

Récemment, on a vu une tendance chez les fournisseurs à privilégier les technologies « sans station » par rapport aux technologies « avec station ». De fait, les systèmes de partage de trottinettes électriques ne nécessiteront pas de station physique sur les emprises. Le personnel a donc proposé une nouvelle tarification qui permettrait de recouvrer les coûts du programme. Il a aussi rencontré deux entreprises de trottinettes électriques intéressées et un fournisseur de services de vélo-partage avec station.

Le personnel recommande de poursuivre le projet pilote de vélo-partage en 2020 et d'y inclure les trottinettes électriques. Pour ce faire, il faudrait lever le *Règlement en matière d'empiètement sur les voies publiques de la Ville* pour autoriser un empiètement temporaire des stations (là où c'est nécessaire) et déléguer au gestionnaire, Emprises, Patrimoine et Design urbain le pouvoir de conclure des ententes avec les fournisseurs intéressés d'après la tarification approuvée par le Comité et le Conseil.

BACKGROUND

Micromobility systems, such as bike sharing and electric kick scooters ("e-scooters") promote the goals of the City of Ottawa's Transportation Master Plan by assisting in the development of a city-wide, connected network of active transportation facilities and provide an environmentally friendly transport option for residents and tourists alike.

Bike sharing services, where a cyclist pays for the rental of a bike from a station often located in the right of way, have been previously regulated in the City of Ottawa through waiving the provisions of the Encroachment By-law to install the stations within the City's right-of-way (ROW) as a temporary surface encroachment.

There has been a move among vendors of these systems towards “dockless” technologies. Dockless micromobility is a system whereby the vehicle does not need to be returned to a fixed location, but rather may be picked up by a user and “unlocked” using a smart phone for short-term use from an arbitrary location. Electric kick scooter sharing systems use this “dockless” technology.

Bike Sharing in Ottawa

In May 2018, a motion was carried by Transportation Committee that permitted the City of Ottawa to commence a pilot ([ACS2018-CCS-TRC-0009](#)) to locate dockless bike sharing stations on City right-of-ways and City property. Under this pilot, vendors were to ensure compliance with the maintenance and liability provisions of the Encroachment By-law. This motion also delegated authority to the Manager, Right of Way, Heritage and Urban Design to enter into bike sharing agreements. The pilot was renewed by Council for the 2019 season on April 10, 2019.

In 2018, VeloGo entered into a non-exclusive agreement with the City. VeloGo was responsible for the provision and maintenance of the stations and vehicles, half of which would use the “station” technology and half of which would be “dockless”. The City of Ottawa charged VeloGo a fee for the stations and a fee per vehicle and required a performance security of \$25,000 and commercial general liability insurance of \$5 million dollars. Up to 500 bikes were allowed under this agreement. VeloGo also had to furnish the City with access to the data collected including:

- Trip origin and destination;
- Trip duration;
- Trip route;
- Trip distance over the road/cycling network; and
- First three digits of the postal code of the user.

The 12 stations on the municipal right-of-way under this pilot agreement were physical structures or delineated by paint. An additional seven stations were located on private property.

In 2018, the City did not experience issues related to compliance with the bike sharing agreement or any impact on City operations. According to the VeloGo interim report, 27 per cent of users reported that VeloGo reduced their use of private vehicles and 25 per

cent said that VeloGo replaced a trip they would have taken with a car. Additionally, 61 per cent of users felt that bike sharing improved their ease of connecting with public transit in Ottawa-Gatineau.

In 2019, no vendors approached the City to operate a bike share for the summer season.

Province allows e-scooters formerly banned under *Highway Traffic Act*, R.S.O. 1990, c. H.8

Previously, e-scooters were not included as part of the City's pilot and were not allowed on public roads under provincial legislation. On April 10, 2019, City Council directed staff that should the Province of Ontario permit the legal operation of electric scooters on public roadways, City staff be directed to study the regulation on electric scooter sharing and parking and extend the bike sharing pilot provisions to electric scooter sharing companies as well for 2019.

Transportation Planning will be sharing details of the proposed e-scooter strategy in their report to Transportation Committee on June 3, 2020 (ACS2020-TSD-PLN-0001).

Municipal Best Practices

The City of Calgary is currently running a dockless e-bike and e-scooter pilot. It has proven to be popular with residents and tourists with over 915,000 trips recorded by 150,000 unique users since the program started in October 2018. The City recommended continuing the pilot for 2020.

Edmonton has dockless pedal bikes, electric bikes and e-scooters. Analysis of this pilot program is ongoing. The vendors have indicated that they were satisfied with the market and intend to return for 2020.

In terms of e-scooters, Waterloo ran a pilot in the first half of 2019, but the vendor decided not to renew the pilot for the second half of the year, citing the difficult legislative environment in Ontario. The City considered the pilot a success due to the popularity of the program, which was expanded to the University of Waterloo. As this legislative barrier has now been removed with the announcement by the provincial government, e-scooters may return to this jurisdiction.

Montreal started an e-scooter pilot project in 2019 with 600 electric kick scooters. Helmets were mandatory and e-scooters had to be returned to a designated parking zone. An additional vendor entered the space in September 2019. Analysis of the pilot

was completed in February 2020 and Montreal has decided not to allow electric kick scooters back for the 2020 season, citing low general compliance with mandatory helmet use, regulations and low parking compliance in designated parking zones by users.

When VeloGo chose not to return to the National Capital Region with dockless bike share for the 2019 season, staff conducted a review of other municipalities and their experience with dockless bike share providers and learned that Ottawa's experience reflected a broad industry trend. Seattle, Washington, Dallas, Chicago and Boston all saw a move from dockless pedal bikes to dockless electric kick scooters and dockless e-bikes that see more trips per day than the dockless pedal bikes alone.

Review of Municipal Bike Parking Management Strategy

A holistic review of the City of Ottawa's Bike Parking Management Strategy is currently underway; bike sharing, shared e-scooter systems and bike parking as well as recommended new regulatory tools will form part of the second phase of this review.

Interest for 2020 season

In the past, proponents offering bike sharing systems have expressed interest in entering the Ottawa market. Within the last few months, City staff have met with two interested e-scooter companies and a docked bike sharing provider.

DISCUSSION

For 2020, it is recommended that the City continue to pilot the regulation of bike-sharing companies and add electric kick scooter sharing to this pilot. Those vendors who wish to use City lands and the ROW would be regulated through non-exclusive agreements, modelled on the 2018 and 2019 provisions, that would have the following components:

- All agreement contract details related to the strategy shared in the Transportation Planning e-scooter strategy report (ACS2020-TSD-PLN-0001);
- Non-exclusive (as with the bike sharing agreements in the past);
- Applicable only for 2020;
- Approval of all parking or station locations by the City;

- Advertising only permitted on the vehicles (bicycles/e-scooters), not on the stations in compliance with the City's Signs on City Roads By-law (By-law No. 2003-520);
- Provisions regarding maintenance, liability, sanitization and removal of infrastructure and vehicles (reflective of what is contained in the Encroachment By-law 2003-446 requirements);
- Requirement to share data on cycling/e-scooter trips with the City, including injury data, to provide insight on travel behaviours; and
- Requirement to obtain permission from the City to expand fleet size.

As in the past, vendors will be responsible for installing/maintaining the stations, removing defective vehicles and/or vehicles found in unexpected places on an ongoing basis and removing stations at the end of the season. Vendors must also ensure compliance with City standards, by-laws and Provincial legislation.

Due to the condensed timeframe of the announcement to allow electric kick scooters in Ontario municipalities before the season begins, staff continue to work closely with impacted departments across the corporation and continue to analyze best practices from other municipalities who have previously had electric kick scooter programs. Further details specifically related to electric kick scooters are in Transportation Services e-scooter report, also presented to Transportation Committee on June 3, 2020 (ACS2020-TSD-PLN-0001).

Micromobility Agreements and the Novel Coronavirus (COVID-19)

As described in the Transportation Planning report, e-scooters can assist with pandemic recovery in the following ways:

- Facilitating physically distanced trips, while not contributing to an increase in car traffic;
- Giving residents another environmentally friendly transportation option that is not a private vehicle/car; and
- Supportive of economic recovery as many e-scooter trips are to local restaurants and businesses.

The municipal right-of way will be closely monitored throughout the pilot, with attention given to pedestrian clearways and vehicles parked incorrectly.

Due to the current pandemic situation, additional disinfection provisions shall be included in the agreement at the vendor's expense, including but not limited to the following:

- Personal protective equipment (PPE) and disinfectants for employees and independent contractors (ex: repair persons, persons who charge the scooters);
- Emergency removal of all vehicles at the City's discretion;
- Disinfection of the vehicles to Ottawa Public Health standards; and
- Education campaigns (in-app) for users, highlighting the need for frequent hand washing before and after micromobility trips.

Several other jurisdictions have recently modified their micromobility/e-scooter agreements to include these, including Los Angeles. Ottawa Public Health will be a key stakeholder in developing these provisions.

Proposed new fee structure

Previously under the dockless bike pilot for the City of Ottawa, the fee structure was as follows:

- A fee of \$250 per station, per season
- \$1 per vehicle, per season
- Security of \$25,000

These fees do not recover the City's staff and material costs of the implementation of a shared e-scooter pilot program. In order to comply with the City's new User Fees and Charges policy, a new fee structure is proposed below. The new fee schedule shifts away from station-based to an overall vehicle fee to recover costs.

The fees charged will be used to cover operational costs, related to (but not limited to) the following:

- Communication, education and promotion of desired rider behaviors,
- Administration of the pilot and agreement(s) and vendor management

- Signage and other traffic and parking costs
- Analysis and evaluation of the pilot:
 - Compiling and monitoring injury data;
 - Monitoring service request volumes and types;
 - Analyzing trip data provided by the vendor; and
 - Resident and stakeholder engagement.

Operational costs related to requests for service that the vendor has not responded to in a timely manner shall be charged back to the vendor at the City's cost, plus 15 per cent overhead. These costs will be monitored as part of the pilot program.

In addition, parking requirements will be monitored and if it is determined that designated parking areas are required, the vendors will be responsible for delineating the permitted parking areas with paint and shall be responsible for the removal of the paint at the end of each season.

The following departments were consulted in developing these fees, and provided estimates based on expected service volumes, and other operational costs from other cities that have already implemented e-scooter programs:

- Public Works and Environmental Services – Roads Services
- Transportation Services – Transportation Planning, Traffic Services
- Ottawa Public Health – Healthy Communities Branch
- Planning, Infrastructure and Economic Development - Right of Way

Commercial liability insurance in the amount of \$5 million dollars must be held by each operator. This insurance must include the City of Ottawa as an additional insured. A security in the amount of \$25,000 will be held by the City until the vendor has removed themselves from the ROW.

The following table describes the proposed fee structure:

Description of Fee	Amount
Vehicle Fee	\$50 per vehicle per season
Communications and Engagement Fee	\$10 per vehicle per season
Non-refundable application fee to operate a shared micromobility program within the City of Ottawa	\$5000
Non-refundable application fee to request for increase to existing fleet	\$3000
Security	\$25,000
Station Encroachment Fee	\$250

The proposed application fees will cover administrative costs related to the intake, analysis, processing and issuance of permits.

The Communications and Engagement fee will cover costs related to raising awareness of the program and promotion of desired rider behaviours (ex: no sidewalk riding, safe riding conduct).

The Vehicle Fee is intended to cover all operational costs associated with the program including signage, analysis and reporting, contract administration, issue management and vendor management.

The station encroachment fee shall only be charged for physical structures placed in the (ex: “docked” stations, charging stations for e-scooters) and not for parking areas delineated with paint.

The collection of these fees shall not release permitted shared e-scooter providers from additional requirements (ex: educational, operational) detailed in the agreement with the City of Ottawa.

The proposed fee schedule will be reviewed at the end of the 2020 season. The City may choose to amend this fee schedule at their discretion for future seasons.

As detailed in the Transportation Services e-scooter Strategy and Pilot Program report, submitted to Transportation Committee on June 3, 2020 (ACS2020-TSD-PLN-0001), the City shall commence with a fleet size of 600 e-scooters total, regardless of the number of vendors (2018 – 500 bikes operated in the City of Ottawa and Gatineau). Under the proposed fee structure, there are estimated gross revenues of approximately \$41,000 with a fleet size of 600 vehicles.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Staff have been working with the NCC and the Ville de Gatineau on a regional approach to implementing shared e-scooters. A multi-jurisdictional approach would provide a continuous network to benefit residents and tourists. However, for the 2020 season, the NCC and the Ville de Gatineau are not ready to participate in the pilot project (Please refer to the Electric Kick Scooter Strategy and Pilot Report submitted to Transportation Committee on June 3, 2020 - ACS2020-TSD-PLN-0001 - Documents 8 and 9).

Other consultation efforts are detailed in the Electric Kick Scooter Strategy and Pilot Report submitted to Transportation Committee on June 3, 2020 - ACS2020-TSD-PLN-0001.

COMMENTS BY THE WARD COUNCILLORS

This is a City-wide report - not applicable.

LEGAL IMPLICATIONS

There are no legal impediments to Committee and Council's approval of the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

While staff have endeavored to provide a good estimate as to program cost and to ensure the program is cost recoverable, there still exists a risk that there could be operational costs exceeding the estimates in this report and/or costs that were unforeseen during the development of the e-scooter strategy. This is a pilot program, and staff will closely monitor program costs. The City will have the option of amending the fee schedule for 2021, to ensure program cost recovery.

The new fee structure could be prohibitive for bike share providers and would make Ottawa less attractive as a potential market.

Additionally, staff have not received the reporting requirements from the Province and are currently unaware of the scope of these requirements. Staff time to satisfy the reporting requirements could extend beyond the anticipated cost estimates. Staff will again monitor costs as part of the pilot.

Staff in Ottawa Public Health may have diminished operational capacity to develop, analyze and report on program performance/injury data due to the ongoing Novel Coronavirus (COVID-19) response.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications with this report.

FINANCIAL IMPLICATIONS

The proposed fee schedule aligns to the Full-Costing Model within the User Fees and Charges Policy. Fees are being set to cover indirect and direct costs associated with the bike sharing and/or electronic kick scooter pilot.

ACCESSIBILITY IMPACTS

Agreement clauses shall be drafted to address accessibility concerns including e-scooters/bikes that are inappropriately parked.

For further information on accessibility impacts, please refer to the Transportation Planning Report on the e-scooter Strategy and Pilot submitted to Transportation Committee on June 3, 2020 (ACS2020-TSD-PLN-0001)

ENVIRONMENTAL IMPLICATIONS

Piloting micromobility options provide a clean option for commuting, tourism or “last mile” trips from transit. If adopted, usage data could be collected and Greenhouse Gas (GHG) emission savings calculated by distance travelled.

TERM OF COUNCIL PRIORITIES

This report supports the following 2019-2022 term of Council priorities:

- Economic Growth and Diversification:

- Promote Ottawa as a destination
 - Ensure the continued health and vitality of small businesses, main streets and neighbourhoods
 - Supports public realm projects to enhance public life and social interactions
- Supportive of desired Integrated Transportation priority outcomes:
 - An integrated transportation network that incorporates all modes of getting around
 - Residents have easy access to their preferred transport choice
- Environmental Stewardship
 - Ottawa's natural environmental landscape is protected and enhanced
 - The City reduces its greenhouse gas output and climate change considerations are embedded across all elements of operations

SUPPORTING DOCUMENTATION

Document 1 Proposed Fee Schedule

DISPOSITION

Following Council approval of this report, staff within the Right of Way Branch shall enter into non-exclusive agreements with shared micromobility proponents as required. Right of Way staff shall monitor the pilot and work with Transportation Planning staff in evaluating the pilot.