

DATE OF MEETING MARCH 29, 2021

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SUBJECT **Participation in Provincial Motor Vehicle Act MicroMobility Pilot Project**

OVERVIEW

Purpose of Report

To seek Council's direction on an opportunity to participate in a Motor Vehicle Act Pilot Project to allow micromobility devices on public streets and sidewalks.

Recommendation

That Council approve participation in the Province of British Columbia's Motor Vehicle Act (MVA) Pilot Projects Program to enable the use of micromobility devices within City streets.

BACKGROUND

The Province of British Columbia's Motor Vehicle Act (MVA) now has Pilot Projects Program, which allows for trial changes to legislation, prior to formal enactment.

An upcoming Pilot Project is seeking proposals from municipalities to conduct a Pilot Project for the use of micromobility devices which are not currently authorized for use on public streets or sidewalks. A "micromobility device" is a zero-emission motorized personal mobility device such as an electronic kick scooter ("e-scooter"), designed to transport one person.

These devices are currently prohibited from use on streets and sidewalks under the Act. The first Pilot Project to be offered would enable participating municipalities to submit proposals for relaxations to the MVA that enable the use of a micromobility device. Intake for a second Pilot Project is anticipated in the summer of 2021, to seek proposals to enhance Vulnerable Road User Safety.

Staff is seeking Council's direction whether to participate in the Pilot Project, and if so, to seek feedback on what Council would like to consider proposal development.

DISCUSSION

Expanding opportunities for Active Transportation in Nanaimo supports Council's mobility and climate action goals. Engagement during Phase 1 of REIMAGINE NANAIMO revealed there is community interest in emerging technologies, such as e-scooter use and shared mobility options, as long as potential user conflicts are considered.

Proposal details are not required at the Expression of Intent stage, but a description of the general proposal vision is requested. If Council wishes to proceed, the next steps would be:

1. The City submits an Expression of Intent to the Province containing general information on the City's vision for a Micromobility Pilot Project, and a resolution indicating Council's approval to participate (Draft shown in [Attachment A](#)).
2. Detailed project proposal approved by Council before submitting to the Province.
3. The City awaits Provincial approval. The Province is unable to confirm intake or approval timelines, but envisions the project commencing in late spring / early summer.
4. If approved by the Province, the City would need to amend the "Traffic and Highways Regulation Bylaw 1993 No. 5000", prior to implementing the approved Micromobility Proposal.

Expressing an interest in participating does not obligate the City to participate, and proposals can be withdrawn at any time. Participation in this program would rely on municipal funding, which could come from 'Active Transportation Education and Marketing'.

"Traffic and Highways Regulation Bylaw 1993 No. 5000" is due for an update in 2022 to better support evolving needs of the community with respect to transportation mode choices, property frontage maintenance, and on-street parking management. Participation in this Pilot Project would be an opportunity to hear the views and opinions of the community with respect to the use of different, and potentially, unconventional modes of travel.

OPTIONS

1. That Council approve participation in the Province of British Columbia's Motor Vehicle Act (MVA) Pilot Projects Program to enable the use of micromobility devices within City streets.
 - The advantages of this option: Participation in this Pilot Project will enable the City to explore opportunities to diversify Active Transportation options which could lead to greater uptake within the community.
 - The disadvantages of this option: Staff time is required to submit an expression of intent and to develop a proposal. There will also be time and costs associated with developing and implementing the program.
 - Financial Implications: In addition to Staff time, there would be costs associated with developing and implementing a micromobility proposal. The Motor Vehicle Act Pilot Projects Program does not offer any financial assistance, only the ability to legally support micromobility projects on public roads. Council could look to existing funding sources, such as the 'Active Transportation Education and Marketing' and pursue grant opportunities if available.
2. That Council direct Staff to not participate in the Province of British Columbia's Motor Vehicle Act (MVA) Pilot Projects Program.
 - The advantages of this option: Staff time and costs will not be required.
 - The disadvantages of this option: The City will not have the opportunity to offer micromobility options that are otherwise prohibited by the Motor Vehicle Act.
 - Financial Implications: None.

SUMMARY POINTS

- The Provincial Motor Vehicle Act (MVA) has been recently updated to allow local municipalities to apply for relaxation of Provincial Regulations in order to undertake pilot projects.
- The first intake of Pilot Projects is intended to seek proposals to allow the use of micromobility devices on public streets.
- The municipality can opt out of the pilot project at any time.
- If Council approves participation, and the Province approves the proposal, Council will be asked to approve the Pilot, prior to submission to the Province.

ATTACHMENTS:

Attachment A – Draft Expression of Intent |

Submitted by:

Jamie Rose
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Concurrence by:

Poul Rosen
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