

DATE OF MEETING FEBRUARY 12, 2024

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SUBJECT MICROMOBILITY UPDATE

OVERVIEW

Purpose of Report

To provide Council with an update regarding the status and next steps of the Provincial Electric Kick Scooter Pilot Project, and to recommend that Council direct Staff to return with an amended bylaw.

Recommendation

That Council direct Staff to bring for its consideration an amended Traffic and Highways Regulation Bylaw 1993 No. 5000 to regulate micromobility devices.

BACKGROUND

In October 2019, amendments to the Provincial Motor Vehicle Act (MVA) were enacted, giving the province the ability to establish a regulatory framework, which subsequently resulted in the development of the MVA pilot project to test the use of electric kick scooters (e-kick scooters). The e-kick scooter pilot project that began in 2021, aimed at testing the use of e-kick scooters in 13 participating communities over a three-year period.

At their regular meeting dated 2021-MAR-29, Council approved participation in the Provincial Electric Kick Scooter Pilot Projects Project to enable the use of e-kick scooters within the City's mobility network. Starting 2024-APR-05, several provincial regulations will change, including that it will be illegal to ride e-kick scooters in any community unless that community has a bylaw to authorize their use.

DISCUSSION

E-kick scooters are battery-powered devices with a motor, two to four wheels, a platform for standing and handlebars for steering.

While micromobility devices such as e-kick scooters are becoming more prominent on our roads and trails, the City does not have a bylaw to set additional criteria for their use.



As part of the pilot project, Staff attended regular meetings with other pilot communities to learn information regarding the progress and successes of implementation, as well as safety. The province released preliminary findings of the pilot project, which includes:

- a majority of survey respondents see e-kick scooters as improving their mobility options;
- e-kick scooters are a clean mode of active transportation that helps to reduce carbon footprint;
- conflicts with other users and injuries are rare when rules are followed; and
- education will be beneficial when implementing e-kick scooter laws, as awareness is low.

Originally set to conclude in April 2024, the Province announced on 2023-DEC-1, the Provincial Electric Kick Scooter Pilot Project was being extended for an additional four-year term. The intent of the extension is to collect more data to inform a detailed safety review and better understand how to integrate e-kick scooters into mobility networks.

Starting, 2024-APR-05, it will be illegal to ride e-kick scooters in any community unless that community has a bylaw to authorize their use.

Amendments to the MVA regarding e-kick scooters will also be brought into force, which include requirements for:

- e-kick scooter devices (e.g., setting power and speed maximums);
- user requirements (e.g., minimum age, adequate safety equipment, sufficient communication with other users); and,
- e-kick scooters to be used in designated areas.

For existing pilot communities to continue participating in the pilot project, they must adopt a bylaw designating locations within their community in which an e-kick scooter may be operated. Participating Councils may include additional criteria in their bylaws for e-kick scooters and their use within the City, such as by restricting the use of e-kick scooters to locations where bicycles are currently permitted.

Micromobility devices are becoming more popular and e-kick scooters are already being used in our community. City Plan Policies C1.1.9 & C1.1.10 aim for all trips to be zero carbon by 2050, and prioritizing walking, rolling, cycling and transit trips over other modes in the mobility

hierarchy to achieve a zero-carbon transportation system. The Integrated Action Plan C2.2.8 specifies that updating City bylaws with respect to “micromobility devices consistent with any changes to the Motor Vehicle Act, community trends and regulations” is a recommended immediate program (0-4 years) to support active mobility goals.

E-kick scooters and other micromobility devices are a convenient, environmentally friendlier, and affordable alternative to traditional vehicle trips. By amending bylaws to allow the use of micromobility devices the City can encourage mode shift while directing the use of these devices in certain areas. The user must follow provincial regulations, such as wearing a helmet.

Allowing micromobility devices supports City goals of mode shift by increasing active transportation trips and offering a more convenient way to fill in the gaps for longer trips or transit users. It is recognized that e-kick scooters are utilized within our community, and it is recommended that Council enact a bylaw to regulate how and where e-kick scooters can be used, subject to new provincial regulations. Staff acknowledge the potential for conflict between users and will ensure this is considered if Council directs Staff to return with an amended bylaw. Staff have discussed the recommendation with local RCMP, including issues around safety, and the Nanaimo RCMP is supportive of Staff’s recommendation.

OPTIONS

1. That Council direct Staff to bring for its consideration an amended Traffic and Highways Regulation Bylaw 1993 No. 5000 to regulate micromobility devices.

The benefit of this option is that the City of Nanaimo can continue with the e-kick scooter pilot project and begin testing the regulation of e-kick scooters and other micromobility devices in our community.

This option supports municipal goals for a green, connected, healthy and empowered Nanaimo, and GHG reduction by encouraging a shift in travel behaviours.

2. Do nothing. If Staff are not directed to update the bylaw, Nanaimo will cease to be a pilot community and the use of e-kick scooters will become illegal within the municipality.

SUMMARY POINTS

- The province has announced that the Provincial Electric Kick Scooter Pilot Project is being extended for an additional four-year term.
- For existing pilot communities to continue participating in the pilot project, they must adopt a bylaw designating locations within their community in which an electric kick scooter may be operated.
- Staff recommend that Council enact a bylaw to regulate how and where electric kick scooters can be used, subject to new provincial regulations.

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