

## **COUNCIL – AGENDA REPORT**

**Meeting Date:** 19 April 2022

**Subject:** Micromobility and Shared Micromobility  
Framework Pilot

**Boards Routed Through:** N/A

**Date:** N/A

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### **Issue:**

Council is being provided with a micromobility framework to govern the deployment of new and emerging modes of mobility including shared e-scooters and e-bikes by private businesses via a two-year pilot.

### **Background:**

The deployment of shared mobility devices has grown significantly over the past five years and is anticipated to continue growing as community demand increases. High profile deployments of shared e-scooters by private businesses in Calgary and Edmonton have resulted in demand from both consumers and private businesses to establish a similar shared e-scooter program in Airdrie. This demand is not limited to large urban municipalities with deployments of shared e-scooter programs in Cochrane, Okotoks and Red Deer in 2021.

Multiple private e-scooter businesses have approached the City of Airdrie with the desire to deploy a shared e-scooter program. Administration has taken a holistic approach to reviewing e-scooters in terms of the broader landscape of micromobility and shared micromobility. This report will outline the existing gaps in policy/bylaw which would need to be addressed prior to governing micromobility and shared micromobility. This work has been completed in collaboration with various City business units that would be directly or indirectly impacted by the adoption of a micromobility framework.

### **What is micromobility?**

The term “micromobility” is a relatively new way (introduced in 2017) to describe modes of small, lightweight vehicles. Being in such infancy, there is limited research or standards related to micromobility within Canada with the majority of research coming from the United States, Australia and Europe.

Attached to this report is an info brief titled “The Basics of micromobility and related motorized devices for personal transport” authored by the Pedestrian and Bicycle Information Center (PBIC). The PBIC is a leading U.S. based non-profit organization, funded by the Federal Highway Administration and National Highway Traffic Safety Administration, that focuses on pedestrian and bicycle research and resources. The info brief has been included to serve as an overview of powered forms of micromobility and compares features of micromobility with a spectrum of other traditional and emerging forms of transportation. The brief references and builds upon micromobility definitions created by the Society of Automotive Engineers (SAE), a standards-developing organization and professional association.

Defining micromobility within the local context is an important and necessary step. This definition will establish which modes are governed via the proposed framework and which modes are excluded.

The City will define micromobility as small, lightweight vehicles operating at speeds typically below 45 km/h and operated by the user. Vehicles will have a weight of less than 100 kgs. This definition aligns with the research completed by the PBIC and SAE (as attached Common Micromobility Devices). Vehicles that are operated via an internal combustion engine, have a vehicle weight above 100 kgs and/or have a top speed above 45 km/h will not be considered modes of micromobility.

Examples of suitable micromobility modes include e-bikes, e-scooters, e-unicycles, e-skateboards, e-trikes, conventional bicycles and unicycles, conventional scooters, skateboards (including longboards), rollerblades and pedal-assisted electric bikes (PAEB).

### **What is shared micromobility?**

Shared micromobility refers to any vehicle as outlined within the definition of micromobility that are shared between multiple users (most often customers). These programs are often tech-based with the user accessing these shared modes via a third-party app. An example of shared micromobility would be shared e-scooters available in Calgary, Cochrane and Okotoks.

### **Regional Scan**

During the summer of 2021, three shared e-scooter programs were launched within a one-hour drive of Airdrie. These included Cochrane, Okotoks and Red Deer. Additionally, the City of Calgary deployed shared e-scooters in their community starting in 2019. Each municipality has taken a different approach to how they created a policy environment for shared e-scooters. The following Figure 1: Regional Shared e-Scooter Programs, identifies how each municipality has approached shared e-scooters as of the summer of 2021.

Figure 1: Regional Shared e-Scooter Programs

| Municipality | Type of Deployment                       | Number of e-scooters | Statistics   |
|--------------|--|----------------------|--|
| Calgary      | Permitted license to two providers       | Limited to 1,500     | n/a  |
| Cochrane     | 2-year pilot project, one provider       | 60                   | 6,612 total trips; 1,963 unique users; 3.2km average riding distance |
| Okotoks      | Pilot project, one provider              | Between 50 and 75    | N/A  |
| Red Deer     | 2-year pilot project, unlimited partners | 1,700                | N/A  |

## Existing Policy Environment

The City of Airdrie does not have a micromobility framework or any policy that would govern the expanding list of modes of micromobility/shared micromobility. As these policies are lacking, the City was not in a state of readiness to grant access to private businesses looking to deploy a shared micromobility technology in 2021.

A review of existing City policies and bylaws has identified gaps that would need to be addressed to govern the changing personal transportation environment. Over the past year, there is an observable increase in powered devices (e-bikes, e-scooters) on Airdrie streets and pathways. Furthermore, the commercial market is requesting to deploy their shared micromobility devices to the public for a fee. The gaps that exist in Airdrie are within the regulatory framework such as the Traffic Bylaw, Business Licensing Bylaw, Parks Bylaw and the lack of an Active Transportation Plan. Amendments to these bylaws will be required to clearly define how modes of micromobility and shared micromobility fit within City regulations.

## Provincial Governance of Shared Micromobility

Provincially, shared e-scooters are not clearly defined within the *Traffic Safety Act*. However, private shared e-scooter companies can apply for an exemption to the *Traffic Safety Act*. E-scooter companies must obtain a permit from Alberta Transportation exempting them from Section 62 of the *Traffic Safety Act* and Section 40 of the Commercial Vehicle Safety Regulation. These (exempted) sections of Provincial regulations relate to items such as operator licenses, helmet requirements and motor vehicle registration and allow for such companies to operate within the bylaws and regulations established at the municipal level. Subsequently, a permit from Alberta Transportation will not suffice if there is no regulatory framework established at the municipal level.

## City's Involvement in Micromobility

The City has an opportunity to define and set clear expectations on the role of the municipality to govern and support forms of micromobility and shared micromobility. There are various models and levels of involvement upon which the City can review. Figure #2 identifies potential frameworks to govern micromobility.

Figure 2: Micromobility Governance Options

|  | <b>Micromobility and Shared Micromobility framework</b>  | <b>Incremental changes to permit micromobility and shared micromobility</b>  | <b>Free Market approach to Micromobility</b>  |
|--|--|--|---|
| Governance (changes to bylaws and regulations) | Amendments made to all bylaws and regulations simultaneously   | Phase in amendments to bylaws based on priority of need and resource availability.   | No changes to bylaws or regulations.  |
| Level of risk                                  | <p>The risk is low as there is always the possibility we are named in the litigation. However, we will not be found negligent if our bylaw amendments give permission to use micromobility and establish a regulatory framework (such as allowed speed and size of the equipment used).</p> <p>Changes to the bylaw and subsequent contracts, will ensure that the liability associated with the use of the equipment remains fully with the provider.</p> | <p>Low. Having major bylaws amended and leaving supporting bylaws for further work will reduce the risk significantly enough.</p> <p>Changes to the bylaw and subsequent contracts, will ensure that the liability associated with the use of the equipment remains fully with the provider.</p> | <p>High. City's negligence will arise from the fact that we are allowing forms of micromobility and its use in areas that are not permitted for use based on the existing bylaws. Risk can be reduced (but not mitigated to a reasonable level) through a contract with shared micromobility service providers.</p> <p>However, failure to monitor and enforce the contract will shift the negligence back to the City.</p> |
| Timeline to implement shared micromobility     | Spring 2023  | Late Spring 2022   | Immediately   |

### **Alignment with City of Airdrie Policies and Plans:**

*Municipal Development Plan:* The use of modes of micromobility (including shared micromobility) promote an integrated, efficient and affordable transportation network.

*AirdrieONE Sustainability Plan:* Micromobility promotes two focus areas of the Sustainability Plan – Socially Sustainable Communities and Sustainable Transportation. Micromobility (including shared micromobility) promotes the health of communities by improving access to services and thus contributing to the overall quality of life of residents. Sustainable Transportation speaks to an integrated network of pathways and trails promoting active modes while reducing auto dependency. Micromobility has proven to achieve these measures of success in similar applications.

*Economic Strategy:* Airdrie's Economic Strategy has identified three objectives, two of which are supported through micromobility and shared micromobility. The objective "The Place to Be" identifies the need to grow Airdrie's visitor economy and create a placemaking strategy to embrace Airdrie's small-town feel. Micromobility can help support achieving both priorities by compacting the City into a small-town feel. "A Connected Community" speaks to the need to improve transportation networks. Micromobility and shared micromobility provides residents with additional transportation options connecting them to their community for employment, education, leisure and retail opportunities.

*Great Places Plan:* One of the principles in the Great Places Plan is to ensure a walkable and accessible city. By defining micromobility the City will be able to better achieve this principle.

*Transportation Master Plan:* The City's Transportation Master Plan identifies active modes (walking, cycling) as an integral part of a transportation system. Active modes provide residents with viable transportation options. The Transportation Master Plan focuses more on the network (infrastructure) than the guiding principles on how to enhance and encourage active modes. The development of a micromobility framework will support the broader outcomes of the Transportation Master Plan such as improving the modal split.

*Social Policy:* The Social Policy focuses on the social well-being of residents through four principles. The adoption of a micromobility framework has connections to two of the principles: Connectedness and Equitable Access to Quality Services. A framework to diversify mobility options in our community will provide new ways for residents to have a sense of Connectedness to their community. Similarly, different modes of micromobility and shared micromobility will provide opportunities for residents to "Equitable Access to Quality Services".

### **Boards Routed Through:**

N/A

### **Alternatives/Implications:**

#### **Alternative #1: Council could choose to amend specific bylaws to permit micromobility and shared micromobility**

In this alternative, the City reviews and makes amendments to specific bylaws to permit micromobility and shared micromobility in the community. The City has the responsibility for policy direction (establishing governance and regulations), education and enforcement. The City does not become involved in controlling the market's response or setting operational parameters such as rental rates.

This option will require amendments to specific City bylaws and regulations involving various City business units such as Municipal Enforcement, Legislative Service and Insurance Risk Management. Amendments to these bylaws that would govern shared micromobility could be presented to Council within 6 to 8 weeks. This would advance the deployment date of shared micromobility to June 2022.

Any changes to specific bylaws to permit micromobility and shared micromobility will trigger a requirement to ensure alignment across other City bylaws and regulations. This Alternative would include Administration drafting amendments to other existing bylaws later in 2022/2023.

#### **Alternative #2: Council could choose to amend existing bylaws to include/address micromobility and shared micromobility**

In this alternative, the City reviews and makes amendments to existing bylaws to create regulatory framework needed to support the delivery of micromobility and shared micromobility. The City takes on the role of policy direction, education and enforcement. The City does not become involved in controlling the market's response or setting operational parameters such as rental rates.

However, the City establishes clear minimum regulatory framework and adherence expectations for operators of micromobility and shared micromobility. As identified by Insurance & Risk Management (IRM), taking it further than a minimum regulatory framework and getting into operational details increases the liability risk exposures for the City.

This option will require amendments to existing bylaws and regulations involving various City business units such as Municipal Enforcement, Parks, Legislative Services and Insurance Risk Management. It is anticipated a complete review of existing bylaws, and amendments to these bylaws will push the deployment of shared micromobility services into 2023.

**Alternative #3: Council could choose to permit all forms of Micromobility, including shared micromobility, with no changes to bylaws or licensing requirements**

In this scenario the City would not complete amendments in governance (bylaws and regulations). In its place, the City would develop parameters and operating standards that shared micromobility services would be required to comply with to remain in good standing. Examples would include establishing speed limits on certain types of shared micromobility, defining where shared micromobility could and could not operate and specific requirements for parking and collection of abandoned shared micromobility devices. The City would enter into a contract with each shared micromobility provider to govern the parameters and standards they would be required to adhere to.

This option would not require immediate amendments to governing bylaws and policies. It is anticipated this option would reduce the time required to introduce shared micromobility to the community. Selecting this Alternative would result in shared micromobility services being made available to the community effective May 1, 2022.

However, this model introduces higher risk exposures to the City (as identified by IRM) as compared to option #1 and #2. The risk associated with this approach puts the City in the position that the City will be held negligent allowing forms of micromobility and its use in areas (streets, pathways, sidewalks, green spaces, etc.) that are not permitted for use based on existing City bylaws. That means that if a member of the public were to be injured by a micromobility device, such as an e-scooter as a form of transportation, the City will be, along with the owner and the operator of the micromobility device, considered liable.

IRM has shared that the risk may be reduced (but not mitigated to the reasonable level) by establishing a contract with the shared micromobility providers. This would include prescribing, in detail, what the owners of micromobility devices must adhere to (and extending the owner's duty to impose the same on the users) and what actions the City may be able to take in case they do not comply. The City would be responsible to monitor and enforce the terms and conditions of the contract. Failure to monitor and enforce, will bring the risk level to be equal to not having a contract in place and the negligence will shift back to the City.

**Alternative #4: Council could choose to maintain Status Quo**

Administration would take no further action on micromobility and shared micromobility at this time.

## **Public Engagement and Communications Plan:**

A communication plan outlining the changes to bylaws/policies will be developed in collaboration with Corporate Communications if the micromobility and shared micromobility framework is endorsed by Council.

## **Recommendation:**

That Council endorses alternative #1 to amend specific bylaws to permit micromobility and shared micromobility as a two-year pilot program with a timeline to launch in Spring 2022.

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|--------------|----------------------------------|
| Presenter:   | Chris MacIsaac                   |
| Department:  | Transit                          |
| Reviewed by: | Michelle Lock; Jelena Maric      |
| Attachments: | #1: Common Micromobility Devices |
| Appointment: | N/A                              |