



# AMO Response to MTO's E-Scooter Pilot Framework

---

August 29, 2019

The Association of Municipalities of Ontario (AMO) is pleased to submit comments on the Ministry of Transportation's (MTO) proposed e-scooter pilot framework. As local leaders, municipal governments are interested in keeping roads safe for all road users in our communities. Municipalities are also interested in exploring evolving technologies that advance multi-modal transportation and address 'first and last mile' transportation challenges for our residents.

### **Municipal Role in Regulating E-Scooters Locally**

E-scooters are increasingly common in the United States and other international jurisdictions where they have proven to be a popular form of transportation in local communities. Key to their success in these jurisdictions is the proactive role that municipal governments play in safely regulating their use.

It will be important for the province to take an enabling approach in the pilot project that allows municipal governments to determine whether e-scooters will be permitted in the municipality. Municipal governments who are interested in e-scooters should be able to 'opt-in' via bylaw to allow these vehicles within municipal boundaries. The regulations should also be crafted in a way that clearly enables municipal governments to pass bylaws to regulate e-scooter use locally in a way similar to bicycles, including geographic, seasonal and speed limits.

The framework should also allow for municipal discretion in dealing with e-scooter companies, including cost-recovery fees for inappropriately placed scooters, fleet size regulations and other requirements as determined by local councils via bylaw. If the pilot is successful, municipal licensing on a cost recovery basis must be included in the framework.

### **Promoting Safety**

Share the Road (STR) has made several safety related recommendations related to e-scooters. Amongst these, STR has recommended that the maximum speed for e-scooters be limited to 24 km/h. In its proposal, the MTO suggests that the speed limit for e-scooters will be set province-wide at 32 km/h. However, most cyclists travel between 10-20 km/h, meaning that allowing e-scooters to share bike lanes with these cyclists may create safety related challenges due to the difference in speed. MTO is encouraged to incorporate STR's recommendation on speed in the final e-scooter pilot framework.

The MTO's proposal that no passengers be allowed on e-scooters is positive. Share the Road has also recommended that no packages be permitted on e-scooters to increase safety.

A final notable Share the Road recommendation is that e-scooter companies be required to provide an online training tutorial via their app for first time riders. MTO should incorporate this recommendation in the e-scooter pilot framework.

### **Protecting Against Municipal Liability**

A concern for municipal governments relates to liability in the event of an e-scooter accident. To protect municipal governments, road users and private property, AMO recommends that the pilot require e-scooter companies and owners to carry insurance. Following further consultation, the province should also set a mandatory minimum coverage amount for insurance.

E-scooter companies typically insure their vehicles as a condition for operation in US jurisdictions. The same should occur in Ontario.

### **Duration of the Pilot Project**

AMO supports the MTO's decision to take a pilot project approach to e-scooter implementation. Share the Road has previously recommended that the pilot last only 2 years. 2 years would enable the province and municipal governments to effectively evaluate the pilot while also creating flexibility should unanticipated consequences arise before the five-year mark.

### **Conclusion and Next Steps**

AMO appreciates the opportunity to comment on Ontario's Proposed E-scooter Pilot Framework. We look forward to working with the Ministry on e-scooter implementation in the time ahead. Given the short response window, we suggest as a next step that the ministry consult more broadly with municipal governments and key stakeholders to further flesh out the e-scooter pilot proposal, including by leveraging the AMO-Ontario MOU. This will make sure the proposal reflects local realities and prioritizes safety concerns as Ontario introduces a new mode of transportation into our communities.

Should you have any questions on this submission, you can contact Leslie Muñoz, AMO Policy Advisor, at [lmunoz@amo.on.ca](mailto:lmunoz@amo.on.ca).