

# **The Regional Municipality of York**

Committee of the Whole  
Transportation Services  
November 5, 2020

Report of the Commissioner of Transportation Services

## **Lane Designation Bylaw Update E-Bikes and E-Scooters**

### **1. Recommendations**

1. Council approve an amendment to the lane designation bylaw to include E-Bikes, in accordance with Ontario Highway Traffic Act Regulation 369/09.
2. Council approve an amendment to the lane designation bylaw to include E-Scooters, in accordance with Ontario Highway Traffic Act Regulation 389/19.
3. The Regional Solicitor prepare the necessary bylaws.
4. The Regional Clerk circulate this report to the local municipalities.

### **2. Summary**

During the October 22, 2020 Council meeting, consideration of Bylaw 2020-53 was deferred to November for further clarification on the use of electric bikes. Staff have reviewed permitted uses and are proposing an expanded bylaw to include Electric Bikes (E-Bikes) and Electric Kick-Scooters (E-Scooters).

#### Key Points:

- The current lane designation bylaw only includes bicycles, tricycles and unicycles
- E-Bikes and E-Scooters have gained popularity in recent years and are currently being used as a means of transportation
- Rules and regulations of E-Bikes and E-Scooters are defined by Ontario Highway Traffic Act Regulations
- Permitting the use of E-Bikes and E-Scooters in designated bicycle lanes and High Occupancy Vehicle lanes on Regional Roads accommodates travellers already using these provincially-recognized vehicles, while improving the efficiency of the Regional road network
- Continued collaboration with Regional and neighbouring municipalities is required to better understand the integration of E-Scooters with the local road network.

### 3. Background

#### **In recent years, E-Bikes and E-Scooters have emerged as alternative transportation choices**

Given their popularity, Ministry of Transportation of Ontario (MTO) regulated the use of E-Bikes, defined in Ontario Highway Traffic Act (HTA) [Regulation 369/09](#) as “Power-Assisted Bicycles”.

Beginning January 1, 2020, MTO launched a five-year pilot framework to permit E-Scooters, defined in Ontario HTA [Regulation 389/19](#) as “Electric Kick-Scooters”. In order to allow the operation of E-Scooters, municipalities must enact bylaws and determine where they can operate based on the context of their own unique environment.

The E-Scooter pilot framework was communicated to Council in [January 2020](#). Staff has been continuing conversations with local and neighbouring regional municipalities to exchange best practices and further explore how these devices are integrated with the local road network which includes local roads, sidewalks, multi-use paths and trails. Operation of E-Scooters on these facilities is more problematic because of safety concerns associated with interactions with pedestrians. This is not a concern for Regionally-designated cycling facilities.

#### **Further clarification was requested at the October Council meeting on the use of Electric Bikes on Regional facilities**

Council received two reports at the October 22, 2020 Council meeting related to formally designating lanes on the Regional road network; one to support Rapidways, including cycling facilities, [Traffic Bylaw Amendments to support Rapidways](#), and the other to support high occupancy vehicles, [Traffic Bylaw Amendments to support High Occupancy Vehicle Lane Designation](#). Both are in support of Regional Bylaw 2020-53.

### 4. Analysis

#### **A revision to the lane designation bylaw is proposed to include E-Bikes and E-Scooters**

Following the October Council meeting, staff reviewed permitted uses within the lane designation bylaw and are now proposing to further update the bylaw to include E-Bikes and E-Scooters within bicycle and High Occupancy Vehicle lanes, enumerated in Bylaw 2020-53.

#### **The current lane designation bylaw only includes bicycles, tricycles and unicycles**

Bicycles are currently permitted on designated bike lanes on-road and in-boulevard and on High Occupancy Vehicle Lanes throughout the Region. The lane designation bylaw is proposed to be amended to include E-Bikes and E-Scooters.

Travellers are already using E-bikes and E-Scooters as a means of transportation. Expanding the permitted uses to allow for these on the Regional road network demonstrates the Region's commitment to increasing transportation options for travellers and supports more sustainable travel choices for residents while improving the efficiency of the Regional road network.

### **Rules and regulations of E-Bikes are provided by the Ministry of Transportation of Ontario**

E-Bikes are motorized bicycles that resemble conventional bicycles, scooters or limited speed motorcycles, as shown in Attachment 1. The rules and regulations for E-Bikes are set out by the MTO and include:

- A maximum speed of 32 km/hr
- A minimum operator age of 16
- A maximum weight of 120 kg
- An electric motor not exceeding 500 watts
- A permanent label from the manufacturer must be included on the E-Bikes stating it conforms to the federal definition of a power-assisted bicycle
- Helmet requirements

E-Bikes under Ontario HTA Regulation 369/09 are permitted on roads and highways where conventional bikes are permitted, unless specifically prohibited through municipal bylaw.

### **Rules and regulations of E-Scooters are provided by the Ministry of Transportation of Ontario**

E-Scooters must meet all requirements set by the MTO and resemble the E-scooter shown in the photo in Attachment 1. As part of the pilot framework, broad rules and regulations have been provided for E-Scooters and include:

- A maximum speed of 24 km/hr
- A minimum operator age of 16
- A maximum weight of 45 kg
- An electric motor not exceeding 500 watts
- Helmet requirements

E-Scooter's are permitted in accordance with Ontario HTA Regulation 389/19 and all Ontario Highway Traffic Act rules of the road apply to their operation like bicycles.

## **5. Financial**

There are no financial obligations associated with the recommendations outlined this report.

## 6. Local Impact

### **Staff continues to work with Regional and neighbouring partners to understand and coordinate an approach for E-Scooters on the local road network**

Staff lead a joint E-Scooter Coordinating Committee with local municipal staff, which meets periodically. Staff are also in contact with neighbouring cities and regions to better understand any lessons learned. Through the E-Scooter Coordinating Committee, staff continues to explore opportunities to better understand how E-Scooters can be integrated into the local road network (local roads, sidewalks, multi-use paths and trails) as well as how to potentially address commercial E-Scooter rental companies.

## 7. Conclusion

The report seeks Council approval to amend the lane designation bylaw to include E-Bikes and E-Scooters, which would allow for additional transportation options for travellers while helping improve the efficiency of the Regional road network.

Staff will monitor the use of E-Bikes and E-Scooters in Regionally-designated facilities and explore opportunities with local partners to integrate them into the local network.

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For more information on this report, please contact Brian Titherington, Director, Transportation Infrastructure Planning at 1-877-464-9675 ext. 75901. Accessible formats or communication supports are available upon request.

Recommended by: **Paul Jankowski**  
Commissioner of Transportation Services

Approved for Submission: **Bruce Macgregor**  
Chief Administrative Officer

November 2, 2020  
Attachment (1)  
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