



July 8, 2020

Dear Members of the Infrastructure and Environment Committee:

ABC Residents Association (“ABCRA”) is an incorporated volunteer body that has been in existence since 1957. ABCRA represents the interests of residents who live in the area between Yonge Street and Avenue Road and Bloor Street to the CPR tracks.

ABCRA has been closely following the discussion of the possible introduction of e-scooter use in Toronto. Some members of our Board participated in the City’s focus groups and have also researched how e-scooters have been introduced into other jurisdictions in particular our peer cities, Chicago and New York City, where the population density and associated issues are more similar and relevant than smaller Cities like Calgary or Vancouver.

ABCRA supports the recommendations of Transportation Services Staff as outlined in their Report entitled E-scooter Zero Vision Safety Approach dated June 24, 2020. We find the Report is based on extensive research, consultations with a wide range of Torontonians through focus groups and surveys and draws from the lessons learned from other jurisdictions. The Report outlines the issues that must be considered before implementing any e-scooter use in Toronto, and staff recommendations are based on independent research, using best practices and the experience of those who have gone before Toronto.

Toronto can show leadership. We acknowledge that we need to be open to new mobility options in the city and that e-scooters could provide a new transportation option provided they are carefully regulated to ensure the safety of the users as well as pedestrians and cyclists and deal with any potential liability risks to the City of Toronto. **We agree with the recommended approach that the Toronto Parking Authority (TPA) be authorized to serve as the provider of shared micromobility services** as this will allow for the implementation of more safeguards and better coordination.

However, **ABCRA does have concerns with the considerable risks which e-scooters will introduce.** These include:

- Risks to public safety
- Risks to public health
- Impacts on the vulnerable
- Community nuisance
- Burden and costs to the health care resources
- Liability and cost to the city
- Lack of available medical and disability coverage for e-scooter users and non-users when injured

The introduction of new micromobility options hold promise, but to be successful for the long term, **introduction must be approached carefully.** The recommended work to be undertaken by Transportation Services staff and the Toronto Parking Authority leading up to the 2021 report will be critical, with a number of important implementation decisions to be made along the way. **We therefore request an opportunity for public comment on proposed rules and regulations.** We ask that prior to drafting any bylaw or final recommendations for rules and regulations of any e-scooter pilot, **an opportunity to comment on recommended options be provided to groups representing the interests of seniors, pedestrian safety and cycling** in addition to those groups already listed in the staff report.

We also wish to draw your attention to **critical issues that need to be considered during the next phase:**

- 1. Length of E-scooter Pilot:** Ontario Regulation 389/19 provides for a five-year e-scooter pilot project. However, we feel that **any pilot in Toronto should last for no more than one year** with the opportunity after evaluation and modifications for a future pilot project. The norm for pilots in other jurisdictions appears to be 5 or 6 months, spring through fall.
- 2. Geographic Distribution:** Both Manhattan and Chicago have prohibited e-scooters in their downtown business districts. The Toronto staff Report notes the safety concerns compounded by the narrow sidewalks and congestion in our city's downtown. ABCRA believes that priority should be given to those areas underserved by public transportation as is being done in both Chicago and New York City.
- 3. Where E-scooters Are Allowed to Operate:** E-scooters **must be prohibited from operating on sidewalks, trails, paths and mixed-use paths.** This is critical to prevent injury to pedestrians. The Toronto staff Report notes that these prohibitions have been adopted in the majority of cities where e-scooters are permitted to operate.

4. **Parking of E-scooters:** There must be **specific rules regarding the parking** (either by docking or some form of geo-fencing) of e-scooters so as not to result in clutter or nuisance on sidewalks. The Bike Share model appears to be a good precedent for picking up and dropping off e-scooters.
5. **Enforcement of Rules:** The **operation of e-scooters should not be permitted until there is sufficient funding and there are adequate bylaw enforcement officers** to enforce the rules. Most importantly, e-scooters must be kept off the sidewalks for the safety of pedestrians. The Report states “Cities that have allowed e-scooters have observed a high incidence of sidewalk riding by riders, whether permitted or not on sidewalks.” The penalties for non-compliance must be a significant deterrent. Public education about the rules should be an important component of the introduction of a pilot.
6. **Insurance Issues Must Be Resolved:** Staff notes that “there is a significant risk that the City may be held partially or fully liable for damages if e-scooter riders or other parties are injured.” The **insurance issues for the City, users of e-scooters and 3rd parties must be resolved** before any pilot is permitted.

It is critical that any **pilot be designed to collect data, evaluate the data and report on such issues so that people can be properly informed and to ensure long term success.** Transportation Services staff should advise and guide the TPA work to ensure any e-scooter program in this city can avoid the mistakes made in other jurisdictions and ensure that **any approach is a safe and effective mobility option for the long-term.** The Chicago experience has lessons to be learned and should be consulted.

Any **pilot should be designed to consider and focus on underserved neighbourhoods** and should evaluate whether scooters can improve mobility for residents and communities that face disproportionate transportation and economic barriers.

The environmental issues outlined in the Report must be considered to **ensure that e-scooters will provide an environmentally sound alternative to public transportation and cars and not simply be used as another recreational option.** Any pilot, therefore, should **collect data on the environmental benefits and impacts** of e-scooter use and include research monitoring and reporting on the true lifecycle of the e-scooters and the environmental impact/benefits of an e-scooter rental program.

Last, but not least, we also believe that **micromobility options cannot be added without first understanding that the present transportation infrastructure is designed for the car** and that **redesigning it for new modes of transportation will require re-**

distributing the space we allocate to cars and **funding new infrastructure** to accommodate new modes of mobility as well as **committing to public education** to include all road users, i.e. drivers, cyclists, and pedestrians.

The free market, for-profit, e-scooter experiments that have occurred in many other jurisdictions have been fraught with difficulties which Toronto can avoid. **The recommendations contained in the report of the General Manager, Transportation Services, should provide for a thoughtful, considered approach.** We support the methodology and timing as outlined but expect to have an opportunity to comment on the details as they become available.

Sincerely,
ABC Residents Association

CC: Councillor Mike Layton
Aviva Coopersmith
Elyse Parker
Janet Lo