



April 23, 2021

Chair McKelvie and Members of the Infrastructure & Environment Committee  
City Hall  
100 Queen St. W.  
Toronto, ON  
M5H 2N2

**Re: E-scooters - Accessibility and Insurance Issues (Item IE21.7)**

Dear Chair McKelvie and Members of the Committee,

On behalf of Spin, I would like to directly address some of the valid concerns raised about shared e-scooters when it comes to public safety, accessibility, and insurance. We are a wholly-owned subsidiary of Ford Motor Company, which has a well-established legacy in Ontario and nearby Oakville that spans over 70 years with the Ford Oakville Assembly plant. As part of Ford, we offer a range of multi-modal personal mobility options, including shared e-scooters and e-bikes, together with a high-quality community-based service. We see the proposed e-scooter pilot project under consideration in Toronto as an exciting opportunity to build upon that history.

At Spin, we have built a successful track record over the last four years of responsibly operating in over 80 cities and college campuses across North America and Europe. We also recently launched operations in Edmonton, and look forward to partnering with other Canadian cities with active e-scooter programs, including Calgary and Ottawa. Our partnership with Ford and shared values enables us to operate differently than our competitors and think long-term about what makes micromobility a value-add to cities and communities where we operate. Safety for all road users and pedestrians is always our number one priority, and we are committed to continuous improvement and innovation in the design of our vehicles and the local delivery of our service.

In the recent City staff report prepared by Transportation Services, four key issues related to accessibility and insurance were identified and evaluated:

1. Safety protections for pedestrians (especially seniors and people with disabilities) to address reckless e-scooter riding and misparked scooters on sidewalks;
2. Lack of city resources for enforcement of sidewalk riding and improper parking;
3. Issues with indemnification agreements and user insurance liability; and
4. Lack of insurance and medical coverage, and the liability exposure to the City.



We respectfully disagree with many of the conclusions reached by City staff with regards to the efficacy of solutions operators have available to greatly improve safety outcomes and effectively mitigate well-known issues. The report also fails to properly balance the above concerns against the incredible number of community benefits micromobility offers with local jobs, economic development, improved connectivity to public transit, increased personal mobility, the replacement of car trips, and meaningful reductions in carbon emissions. For simplicity, we have organized our proven and implemented solutions with empirical evidence in the chart below.

### I. Operator Solutions & Empirical Evidence

Key Issues	Operator Solutions	Empirical Data & Evidence
<p>Safety protections for pedestrians to mitigate improper parking and reckless e-scooter riding on sidewalks.</p>	<ul style="list-style-type: none"> <li>- <b>Docked charging stations</b> (“Spin Hubs”), similar to those used by shared e-bikes or bike systems.</li> <li>- <b>Operator-funded parking racks</b> to increase the availability of parking racks in priority areas of the City.</li> <li>- <b>Locking mechanisms</b> (“lock-to”) to ensure e-scooters are parked and attached to bike/cycle racks and other approved street furniture.</li> <li>- <b>End-Trip Photos</b> - All Spin riders must take a photo of their e-scooter after their trip ends. This ensures it was parked properly and does not obstruct the sidewalk.</li> <li>- <b>Real-time sidewalk detection and parking validation</b> technology to immediately deter users from riding on sidewalks (e.g. through an audio alert) and confirm their e-scooter was parked properly.</li> <li>- <b>Real-time e-scooter tip-over detection</b> to instantly determine if an e-scooter has been tipped over or not parked in an upright position.</li> </ul>	<ul style="list-style-type: none"> <li>- Spin has installed over 300 docked charging stations, with plans for 100s more in 2021. Contrary to the staff report, this is a proven method many jurisdictions use to improve parking compliance.</li> <li>- Spin has increased available micromobility parking by installing or funding additional bike/cycle racks in several cities, such as Milton Keynes and Essex (UK).</li> <li>- San Francisco and Chicago both saw notable reductions in complaints with “lock-to” added. Specifically, Chicago DOT found a 79% decrease in 311 complaints per-day/e-scooter with lock-to compared to e-scooters without it.</li> <li>- In San Francisco, with over 455,000 trips to date, 3,815 trip-end photos (0.8%) failed to demonstrate compliance upon staff review. 555 (0.12%) of those went on to commit additional violations and received a fine or were permanently banned.</li> <li>- Real-time sidewalk detection and parking validation provided by Spin Insight is up to 95% after this AI-based technology has “learned” the topography of cities.</li> </ul>

<p>Lack of City resources for enforcement of illegal sidewalk riding and parking.</p>	<ul style="list-style-type: none"> <li>- <b>Integrated 311 Systems</b> to resolve incoming 311 complaints more efficiently and reduce the burden on City staff to notify and respond.</li> <li>- <b>Neighbourhood Ambassadors</b> paid by micromobility companies to be constantly patrolling for education and proper parking enforcement in priority, congested areas.</li> <li>- <b>Operator or permit fees</b> are often used to help cities implement a successful e-scooter program and help fund dedicated city staff positions for program support.</li> </ul>	<ul style="list-style-type: none"> <li>- Spin has successfully integrated with 311 systems to more efficiently respond to concerns from residents in Atlanta, Los Angeles, and San Diego. On average, we move improperly parked e-scooters within 1 hour.</li> <li>- Spin has strictly enforced parking rules and we have committed Neighbourhood Ambassadors in many cities, including Chicago, Washington DC, Essex County (UK) to help cities with enforcement.</li> </ul>
<p>Issues with indemnification agreements and user insurance liability.</p>	<ul style="list-style-type: none"> <li>- <b>Comprehensive indemnification agreements with 100s of cities</b> around the world provide significant coverage, with limited liability in rare instances where damaged public infrastructure is the primary source of accidents.</li> <li>- <b>First-person liability insurance</b> is only available in the UK with very narrow applicability for incidents that result in total and permanent disability (TPD). Spin would explore options for such coverage in Canada, if it was made available.</li> <li>- <b>Third-party liability insurance</b> that covers accidents with pedestrians is not required in any city or country. The same is true of all other forms of personal mobility, including shared and private e-bikes.</li> </ul>	<ul style="list-style-type: none"> <li>- Spin has active indemnification agreements with over 80 cities, where we properly protect the City against the vast majority of cases involving liability. We are open to having a constructive dialogue about where to draw the line between “nearly full” and “full” indemnification.</li> <li>- Spin provides limited first-person liability insurance in two locations, Milton Keynes and Essex County. This is a voluntary initiative (i.e. not required) and made obtainable only because the insurance is available and designed to cover total and permanent disability (TPD).</li> <li>- Spin holds Commercial General Liability insurance to cover cases where we are negligent. However, companies should not be held liable for the actions of their users (e.g. if a rider recklessly injures pedestrians). This is consistent with all other forms of third-party rental insurance, where individuals are liable for their actions.</li> </ul>
<p>Lack of insurance and medical coverage, and the</p>	<ul style="list-style-type: none"> <li>- <b>Establish a Micromobility Safety Fund</b> to address first- and third-party injury claims not</li> </ul>	<ul style="list-style-type: none"> <li>- Since no other jurisdiction has third-party insurance requirements this solution has not been trialed.</li> </ul>



liability exposure to the City when no other party provides compensation.	provided through the Ontario Health Insurance Plan or existing homeowners or auto insurance. The fund can also be used to make street and transportation infrastructure improvements for safer streets. An initial bond and per trip fees can be deposited to sustain the fund.	- A June 24, 2020 report by the City of Toronto Council on e-scooters recommended that the City research and explore creating a safety fund for these purposes.
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**II. Proposed Limited-Scale (Single Ward) Pilot Approach**

For next steps, we suggest that Toronto adopt a similar pilot approach to other cities where there were initial concerns about the introduction of e-scooters on city streets. A limited pilot with responsible operators and safeguards would provide the opportunity to demonstrate the value of e-scooters as a sustainable mobility option and first/last-mile mode of transportation. This pilot could be done within a single Ward or university campus to allow the City to evaluate the widespread economic and mobility benefits of e-scooters, while also implementing effective regulations to protect pedestrians and all riders.

This forward-thinking approach would align the City of Toronto’s efforts to create a more sustainable transportation ecosystem and achieve carbon neutrality. The York University campus, for example, would be an excellent venue to deploy e-scooters. Through dialogue with the University administration we understand they have expressed a willingness to consider an on-campus pilot. We’re of course happy to consider other potential pilot areas the Council would approve.

Thank you for your time and consideration. As the Council considers the appropriate path forward for micromobility, we welcome the opportunity to work with you and staff to help develop e-scooter permit rules and guidelines that promote public safety, properly address accessibility concerns, and reflect the best practices and lessons learned from cities across the globe.

Sincerely,

Brit Moller  
Spin Mobility Inc.