From: Moaz Ahmad
To: Infrastructure and Environment
Subject: Re: SCOOTY documents submission prior to IEC meeting 21
Date: Wednesday, April 28, 2021 2:03:07 PM

These communications are for Item 21.7 and 21.8.

With kind regards

Moaz Ahmad

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On Wed., Apr. 28, 2021, 14:01 Infrastructure and Environment, <iec@toronto.ca> wrote:

> Good afternoon, please advise us the Agenda Item # that this communication if for.
>
> Thank you,
>
> Infrastructure and Environment Committee
>
> **From:** Moaz Ahmad [mailto:moaz@ridescooty.com]
> **Sent:** Tuesday, April 27, 2021 4:57 PM
> **To:** Infrastructure and Environment <iec@toronto.ca>
> **Cc:** Shoaib Ahmed <shoaib@ridescooty.com>
> **Subject:** SCOOTY documents submission prior to IEC meeting 21
>
> Good afternoon
>
> On behalf of SCOOTY, please see the letter below and the appendix documents attached. These collectively represent our submission to the Infrastructure and Environment Committee in advance of the April 28 meeting.
>
> With kind regards
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April 27, 2021

Councillor Jennifer McKelvie
Chair, Infrastructure and Environment Committee
City of Toronto
100 Queen Street West, Suite B25
Toronto ON M5H 1N2

Dear Councillor McKelvie

SCOOTY is a Toronto-based micromobility company incubated at Ryerson's Digital Media Zone. We are writing today to suggest that Toronto should join the Province's e-Scooter pilot, and say with respect that recommendations Toronto not opt-in to the pilot will create additional problems for the city without resolving many of the concerns raised by stakeholders.

As a local company, we understand the important need to improve mobility in Toronto in a safe, equitable fashion and we value and appreciate the important role staff and Toronto Accessibility Advisory Committee have in presenting recommendations to the city. In that regard, we have shared our research and insights with staff and committee members. Nonetheless it is unfortunate that many of the recommendations and suggestions that we made have not been actively considered in the most recent recommendations and staff report. We also feel that the staff review may not be considering the benefits of building on the ActiveTO program, bike lane expansion and Toronto Bike Share expansion. By not opting-in, Toronto will miss the opportunity to provide more local mobility options that reduce the risks associated with congestion and crowding while helping achieve Toronto's mobility, climate, and equity goals.

For these reasons we ask that you consider the following points:

1. A variety of micromobility devices and vehicles—such as OneWheel, electric skateboards, e-Scooters and more—are already being used in Toronto. Continuing to prohibit one type of vehicle (e-Scooters) would have limited effect on micromobility use, and would not address the broader pedestrian and road safety concerns that have been raised by many stakeholders including WalkTO, Cycle TO, Friends and Families for Safe Streets, and the Toronto Accessibility Advisory Committee themselves.

2. Attempting to enforce a prohibition against one micromobility vehicle type would be an ineffective use of the city's limited resources (an issue already raised in the staff report) and would raise important concerns about policing and human rights in Toronto. An education campaign to remind riders to use appropriate roads and pathways, wear helmets and protective equipment, and obtain insurance, would be a more equitable and effective use of the city's resources than policing and enforcement.

3. Permitting personal e-Scooters and limiting their use to Multi-Use Trails/Pathways, in bike lanes and cycle tracks, and park access roads (but not park or ravine trails) and on streets with a speed limit of 40 km/h (staying below the provincial pilot maximum of 50km/h) allows safer operations on lower-speed pathways and roads and reduces potential conflicts between riders and pedestrians and riders and automobiles.

4. A controlled, shared e-Scooter pilot would allow the open and transparent demonstration of shared e-Scooters, allowing the city to understand their use, risks and benefits before any public rollout. This can happen initially at Exhibition Place (the Transportation Innovation Zone) as part of the proposed Transportation Innovation Challenges - Fostering Local, Outcomes-Oriented Transformation (Item IE.21.8 April 28, 2021).

The points described above show an effective way to proactively address and mitigate the concerns raised about e-Scooters, respect the rights of riders and pedestrians and reduce risks through education and sensible, controlled implementation. A more detailed explanation of our reasoning and recommendations is provided in the enclosed documents.

- Appendix 1 - Recommendations for Phased-in pilots of e-Scooters in Toronto
- Appendix 2 - Summary of e-Scooter programs in New York and Chicago

- Appendix 3 - Analysis of Toronto Staff Report

Continuing to prohibit e-Scooters and increasing enforcement would be a poor use of limited city resources and would create new equity issues without addressing many concerns. It would exclude Toronto from the significant social, economic, environmental and health benefits that could be achieved through improved local mobility. Even with slower pilot implementation, Toronto will likely see results better than many other comparable cities because Toronto has seen significant growth in Bike Share use, has better transit coverage and frequency, and has invested in the ActiveTO program and bike lane expansion.

We are happy to address any questions you may have about e-Scooters and the contributions they can make to local mobility in Toronto. Thank you for your attention to this matter.

Sincerely,

Shoaib Ahmed

CEO, SCOOTY
shoaib@ridescooty.com
RideScooty.com
@ridescooty on Twitter and Instagram

Lobbyist Registration 41979S-1 SM29170

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Shoaib Ahmed
Founder & CEO

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Toronto, Ontario, Canada
P: 416 294 3113

Transportation redefined

From:	Moaz Ahmad
To:	Infrastructure and Environment
Cc:	Shoaib Ahmed
Subject:	SCOOTY documents submission prior to IEC meeting 21
Date:	Tuesday, April 27, 2021 4:57:25 PM
Attachments:	Appendix 2 - Summary of e-Scooter programs in New York and Chicago.pdf Appendix 3 - Analysis of Toronto Staff Report.pdf Appendix 1 - Recommendations for a Phased-in Pilot of Shared e-Scooters in Toronto.pdf

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3. Permitting personal e-Scooters and limiting their use to Multi-Use Trails/Pathways, in bike lanes and cycle tracks, and park access roads (but not park or ravine trails) and on streets with a speed limit of 40 km/h (staying below the provincial pilot maximum of 50km/h) allows safer operations on lower-speed pathways and roads and reduces potential conflicts between riders and pedestrians and riders and automobiles.

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We are happy to address any questions you may have about e-Scooters and the contributions they can make to local mobility in Toronto. Thank you for your attention to this matter.

Sincerely,

Shoaib Ahmed

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Lobbyist Registration 41979S-1 SM29170

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Shoaib Ahmed
Founder & CEO

A: 10 Dundas Street East, Suite 600
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Transportation redefined

Appendix 1 - Recommendations for a Phased-in Pilot of Shared e-Scooters in Toronto

SCOOTY has, since its founding, aligned our goals with Toronto's goals related to social equity, mobility equity, the increase in active transportation use, the reduction in automobile use and vehicle emissions, and improved access to institutions and opportunity. Prohibiting e-Scooters and increasing enforcement would run contrary to these goals without resolving the pedestrian and road safety issues mentioned by stakeholders. It is also important that Toronto recognize that increased enforcement would not be the most effective use of the city's limited resources (an issue already raised in the staff report *E-scooters - Accessibility and Insurance Issues*) and would raise issues about enforcement, policing, social equity and human rights.

Our recommendations for e-Scooters below focus on education and management rather than prohibitions and attempted enforcement. We anticipate that this process would take place over the next 18 months, and have included anticipated timelines in our recommendations below.

1. Knowing that proactive education is more effective than reactive enforcement, we recommend that the City of Toronto begin an education campaign to remind riders to not use sidewalks, to use appropriate roads and pathways, and to wear helmets and protective equipment. This is a more effective use of the city's resources than policing and enforcement, and would improve social equity.

   This campaign should begin immediately, and be tied to ActiveTO expansion and implementation for 2021 and 2022.

2. Permit personal e-Scooters and limit their use to Multi-Use Trails/Pathways, in bike lanes and cycle tracks, Park Access roads (but not park or ravine trails) and on streets with a speed limit of 40 km/h. This allows safer operations on lower-speed pathways and roads, reducing the risks of conflicts between riders and pedestrians and riders and automobiles.

   This should take place in June 2021 and last until the end of 2021, with the option for renewing permission annually for 2022, 2023, and 2024.

3. Ask staff to study and report back about introducing a controlled, shared e-Scooter pilot at Exhibition Place, aligning with the proposal for Transportation Innovation Challenges, which will be discussed in the April 28, 2021 meeting, Item IE.21.8. This would allow the open and transparent demonstration of e-Scooters, allowing the city to understand their use, risks and benefits before a public rollout.

   This shared e-Scooter pilot could take place from July 2021-November 2021 with the option to renew annually for the duration of the provincial pilot.
4. If this off-street pilot is deemed to be successful, permit shared e-Scooter pilots on streets to go along with the autonomous shuttle bus pilot and the Bike Share expansion in Rouge Hill, and the Bike Share expansion in North York, with emphasis on connecting to transit. This allows the city to test e-Scooters in on-street use, in continuation of the micromobility expansion pilot expansion of Bike Share Toronto.

   These pilots could take place as early as September 2021.

5. If the off-street pilots are deemed successful, then in 2022 Toronto can begin a shared e-Scooter pilot program similar to the one implemented in Chicago, where e-Scooters are not permitted in the downtown areas and emphasis is placed on providing e-Scooters to communities with mobility limitations and greater mobility needs.

   This helps address concerns about e-Scooter use on sidewalks, retains the focus on integration with transit, and maintains support for Priority Neighbourhoods and mobility equity.

   This pilot would last for all of 2022, with the option to renew beyond 2022.

Conclusion

SCOOTY has offered our suggestions to staff to help address concerns raised about e-Scooters and the implementation of a shared e-Scooter program in Toronto. The recommendations detailed above outline how the City of Toronto can permit the safe and responsible operation of personal e-Scooters, while studying the implementation of a carefully managed shared e-Scooter plan that is aligned with active transportation expansion goals, and align the e-Scooter pilot with the Transportation Innovation Challenges, which will be discussed in the April 28, 2021 meeting, Item IE.21.8.

We are happy to address any questions you may have about these recommendations, and about e-Scooters and micromobility and the contributions they can make to local mobility in Toronto. Thank you for your attention to this matter.

Appendix 2 - Summary of e-Scooter programs in New York and Chicago

New York

New York City has announced the plans for a shared e-Scooter program which will begin in summer 2021. The program begins with a pilot in the East Bronx, a recognized transit and bike share desert, with an initial phase and potential second phase.

The state law authorizing the pilot excludes Manhattan. Other boroughs are permitted by state law but have been excluded from the initial New York City pilot until 2023.

- More than 500,000 people and 25,000 New York City Housing Authority residents live in the pilot area
- 3000 e-Scooters in phase 1, with the option to increase to 4000-6000 e-Scooters with potential phase 2

Equity

- NYCHA residents will receive discounts
- New York City Department of Transportation will evaluate the project along safety and equity goals including equitable coverage across the pilot zone, as well as looking at parking issues and violations
- Some e-Scooters will be seated e-Scooters, allowing disabled riders the option of using e-Scooters

Safety

- e-Scooters are limited to 15 mph (24 km/h) and new riders will be limited to 10 mph (16 km/h) for the first 30 minutes of their first ride
- New riders will not be allowed to rent an e-Scooter in the evening/at night

Chicago

Chicago introduced its first shared e-Scooter program in 2019. The emphasis was on serving Priority Neighbourhoods, with a requirement that 50% of vehicles be placed in these areas. The Lake Shore and downtown Loop areas were excluded. For 2020 the pilot zone was expanded to

include more areas of Chicago, with greater emphasis on transit integration and service in priority neighbourhoods.

2019 pilot

- Ten e-Scooter companies were qualified to operate up to 250 e-Scooters each
- 821,000 rides
- 36% average deployment in equity priority areas
- Average trip length 1.48 miles (2.14)

2020 pilot

- Three e-Scooter company were chosen by RFP to operate up to 3,333 e-Scooters each
- 640,000 rides
- 52% average deployment in equity priority areas
- Average trip length was 1.71 miles ((2.75) kms, a 14% increase

Appendix 3 - Analysis of Toronto Staff Report

Summary

SCOOTY has carefully analyzed the report and recommendations from staff and the Toronto Accessibility Advisory Committee (TAAC). We understand and appreciate their civic role, and this is in fact one of the reasons why SCOOTY has always recommended a phased-in pilot (which gives the city greater control over the rollout of e-Scooters) as compared to a broad rollout. We believe that the recommendations made by TAAC and staff were based on the assumption that e-Scooters would be introduced in Toronto in the form of a broad rollout, rather than the controlled and phased-in approach that we have recommended to staff and TAAC.

The concerns from staff and TAAC relating to e-Scooters creating safety concerns and additional barriers to disabled communities are very important to us. However, the recommendations they have made to ban e-Scooters do not address the primary issue of pedestrian safety or address the existing use of micromobility devices and bicycles on sidewalks. The only way to properly address these issues is either a full (but not easily enforced) ban on all sidewalk use by light mobility devices and light mobility vehicles, or build the necessary pathway infrastructure that removes these devices from sidewalks. Continuing a blanket ban on e-Scooters and increasing enforcement would be a poor use of city resources, raise equity issues, and exclude Toronto from the significant social, economic, environmental and health benefits that could be achieved through improved local mobility.

Recommendation

We ask you to direct staff to reconsider the introduction of e-Scooters in Toronto under a controlled and phased-in approach similar to what we have recommended to staff and TAAC. We have shared detailed recommendations to you in Appendix 1 - Recommendations for Phased-in pilots of e-Scooters in Toronto. We also ask that you will vote in favour of moving forward with IEC.14.10 recommendations made at the July 9, 2020 meeting, modified to consider a phased-in approach.

By adopting a Safety, Courtesy, and Partnership approach instead of a ban, Toronto will realize the benefits of e-Scooters while addressing the challenges and concerns that staff and TAAC have identified. While a slower pilot implementation means that Toronto would remain behind

other cities in micromobility expansion, Toronto will likely see results better than many other comparable cities because Toronto has seen significant growth in Bike Share use, has better transit coverage and frequency, and has invested in ActiveTO lane expansion.

Safety and Accessibility

We have heard and understood the concerns about sidewalks, injury risks and hazards, as well as the concerns about streetcar tracks, and that the state of roadways and infrastructure in the city is such that e-Scooters cannot be ridden safely on Toronto streets. SCOOTY has always been against riding on sidewalks, and would inform and direct riders to ride on appropriate routes (with cycle tracks, bicycle lanes) and avoid the more risky routes (construction sites, streetcar tracks, poor pavement). Crowdsourced information, data and sensor systems and geofenced control over e-Scooter movement would add layers of control over e-Scooter movement and gain additional value. This combination of education, data and enforcement is more proactive than reactive, already addressing concerns raised by staff.

Enforcement

A variety of micromobility devices (OneWheel, electric Skateboards, etc) and vehicles (electric scooters, electric bicycles) are being used in Toronto. Continuing the blanket ban on one type (and attempting to enforce any ban) would have limited effect, raise new social equity issues, and would not address the broader safety concerns raised by the Toronto Accessibility Advisory Committee and other stakeholders. SCOOTY feels that continuing a blanket ban on e-Scooters and increasing enforcement would be a poor use of city resources, and exclude Toronto from the significant social, economic, environmental and health benefits that could be achieved through improved local mobility. This has already been raised in the staff report *E-scooters - Accessibility and Insurance Issues*.

Indemnification, Liability, Insurance and Additional Medical Costs

We have noted the concerns about indemnification, liability, insurance and additional medical costs not covered by OHIP. SCOOTY understands the wish to obtain full indemnification for the city and the recommendations to provide coverage similar to the UK. This can be provided and we are exploring this further with our insurance provider.

Micromobility Investment

We have seen the argument that Bike Share Toronto already exists, and is already integrated with transit and therefore Toronto is ahead of the micromobility curve. However, Bike Share Toronto is not integrated with local transit and has recently made its data less available to the public. Bike Share docks were only recently expanded outside much of the old City of Toronto

boundaries and the suburban Bike Share pilots were limited in scope. SCOOTY has always recommended that e-Scooters be introduced as a complement to Bike Share Toronto, integrated with TTC stations and bus stops, GO Transit stations and Bike Share docks, and part of a system of connected vehicles and data that help inform local mobility demand and the need for additional supply.

VisionZero

Improving the mobility mix is the first step in the redesign of City roadways under Vision Zero principles, to achieve Vision Zero goals. A growing micromobility market (including more users on Toronto streets) will displace some automobile trips and induce more local non-automobile and active transport trips, potentially reducing traffic volumes and congestion, and improving operator/driver behaviour.

Accommodating scooters and micromobility devices offers an opportunity to make better and more efficient use of road space, improve visibility and sightlines, reduce crossing distances, and lower vehicle speeds.

Evidence from a study on data from twelve U.S. cities over 13 years (Marshall and Ferenchak, June 2019) has shown that the construction of separated bicycle / micromobility lanes can lead to significantly fewer crashes and deaths.

Scooty will support initiatives by the City to build more complete streets, more bicycle / micromobility lanes, cycle / micromobility tracks, multi-use trails and Greenways, as well as redesign Toronto streets to support Vision Zero.

Community Mobility Equity

We have said repeatedly that e-Scooters should be introduced to improve mobility equity, in under-served suburban communities and priority neighbourhoods first. Scooty intends to bring both point-to-point and First-Mile / Last-Mile mobility to more people who live, work, and play in the City.

Our plan includes working in partnership with the City to offer scooters and micromobility networks in areas of the City typically underserved by transit, including priority neighbourhoods.

SCOOTY supports the creation of expanded trail, cycle track and Greenway infrastructure, which will encourage local active transport and micromobility as well as support local businesses and job creation.

SCOOTY will work in partnership with the City and residents to develop Community Benefits programs that meet civic and community goals and are equitable and inclusive. This can include job creation and training programs for residents.

Area of Concern - Safety and Accessibility		
Concern Raised	**Toronto Report**	**SCOOTY Response**
Safety and accessibility concerns for people living with no vision/low vision and seniors, when encountering e-scooters illegally operating on sidewalks	Concerns raised include not only the risk of serious injury or fatality to persons with disabilities if tripping and falling or struck by an e-scooter, but the additional concern of being deprioritized for care, given an overburdened health care system and the need for triaging patients during the pandemic.	We have always said from the start - do not allow e-Scooters to be ridden on sidewalks. A variety of micromobility devices (OneWheel, electric Skateboards, etc) and vehicles (electric scooters, electric bicycles) are being used in Toronto. Continuing the blanket ban on one type (and attempting to enforce any ban) would have limited effect, raise new social equity issues, and would not address the broader safety concerns raised by the Toronto Accessibility Advisory Committee and other stakeholders.
Trip hazards or obstructions from poorly parked e-scooters or numerous rental e-scooters on sidewalks;	Residents and accessibility stakeholders say that "lock-to" e-scooters would worsen the number of sidewalk obstructions on already narrow and cluttered sidewalks. "Lock-to" cables are not an effective solution because rental e-scooters could then be locked anywhere including as obstructions. Adding a cable to e-scooters enables them to be locked to spots	SCOOTY has always supported e-Scooter docking stations and designated parking areas, using either: ● The furniture zone of sidewalks ● Grass ● Unused/underused sections of city owned parking spaces (on-street and off-street) ● Privately owned parking spaces or

	blocking entrances, paths of travel or even inside transit shelters attached to the bench (a concern of TTC's ACAT members).	plaza spaces Chicago required that all e-scooters be equipped with a lock and be secured to a fixed object to end a ride. Initial stakeholder feedback and data indicate that e-scooter parking compliance improved significantly in the 2020 pilot. Initial 3-1-1 data show a 79% decrease in complaints-per-day-per-devic e compared to 2019.
	E-scooter rental companies note that personally-owned bicycles can be locked to posts/bike rings; however, this is not a fair comparison for rental fleets. Allowing thousands of rental e-scooters to use lock-to cables (essentially being dockless) would create significant pressure on existing bike parking in the City and numerous obstacles on sidewalks.	SCOOTY has repeatedly said that an e-Scooter rollout should be controlled, and tied to micromobility expansion plans, and should include a parking infrastructure plan that aligns with the city's mobility goals.
	Bike Share Toronto bicycles are "docked", not dockless. Over 6,800 bike share bikes must be docked at Bike Share Toronto stations While docking stations for e-scooters may have potential, such technologies are still emerging.	SCOOTY is a strong supporter of docking stations and believes that success starts by using the footprint of the city's existing Bike Share docks as e-Scooter parking spaces
Additional barriers created for pedestrians and persons with disabilities who use sidewalks out of necessity, especially people living with no vision/low vision, users of mobility assistive devices, or older adults encountering illegal sidewalk riding or	• Allowing e-scooters will add further barriers, and introduce hazards and distress at a time when COVID-19 has resulted in greater challenges for seniors, persons living with disabilities and their caregivers who use sidewalks as a necessity and not for	SCOOTY believes that e-Scooters would not become an additional barrier when implemented properly, along with the ActiveTO program and the city's bike lane expansion.

poorly parked e-scooters;	recreation.	

Area of Concern - Enforcement and Resources		
Concern Raised	**Toronto Report**	**SCOOTY Response**
Lack of city resources for enforcement and major challenges enforcing moving violations on sidewalks, parking obstructions and vandalism;	• There are not enough city resources for enforcement, and there are inherent problems with enforcing e-scooters that are difficult to overcome, such as requiring police enforcement to be present for incidents on sidewalks and the problem of identifying an e-scooter rider given their speed and no licence plates on devices that are privately owned. Also, the identity of the person renting the e-scooter may not be the person riding the e-scooter if rented/shared. Such enforcement is highly labour and resource-intensive, and in many ways, infeasible.	The city should focus on education and infrastructure rather than enforcement. SCOOTY is committed to a Safety, Courtesy, Partnership model which will help proactively minimize the incidences of these issues and violations.
Significant challenges and difficulties with enforcing moving violations (i.e., lack of policing resources to witness/enforce illegal e-scooter use on sidewalks, 'hit and runs', and the inability to identify the e-scooter rider)	Technologies proposed by e-scooter companies are still experimental and do not prevent illegal sidewalk riding and conflicts with pedestrians and persons with disabilities. Sidewalk detection technologies (e.g., using camera data, vibration pattern data, or onboard braking patterns) are still experimental for e-scooter rental companies; and would not apply to privately owned e-scooters. These technologies also do not prevent e-scooter use/conflicts on sidewalks, but take effect once e-Sooters are already on sidewalks which is reactive,	These technologies can be demonstrated and developed further as part of the Transportation Innovation Challenges proposed in Item 21.8

	rather than preventive.	

Area of Concern - Indemnification, Liability, Insurance and Medical Costs		
Concern Raised	**Toronto Report**	**SCOOTY Response**
Lack of available insurance and medical coverage (e.g. for rehabilitation, lost wages, and medical costs not covered by OHIP)	Insurance products are not commercially available in Canada for e-scooters. Coverage is available, however, for pedal-assisted / power-assisted bicycles through home, tenant or condo insurance. Such insurance covers personal liability arising from the ownership, use or operation of e-bikes that meet the definition in the policy's wording for power-assisted bicycle (e-bike). In the event that a pedestrian is injured by an e-bike user, and that e-bike is covered under the homeowners, tenant or condo insurance policy, then their insurance policy would respond subject to any policy limits and exclusions.	SCOOTY obtained e-Scooter liability insurance for a pilot in Brampton Other e-Scooter companies have obtained liability insurance for pilots in Edmonton, Kelowna, Waterloo, Ottawa and Windsor.
The significant liability and cost exposures associated with claims, litigation, and settlement to the City when no other party is able to provide compensation.	To protect the City and e-scooter riders, rental companies must provide full indemnification for the City, and first and third party insurance coverage for e-scooter riders. This is similar to coverage available in the U.K. for their e-scooter trials, and also similar to liability insurance requirements in other countries such as France, Germany and Malta. Liability insurance held by e-Scooter companies themselves (e.g., commercial general liability insurance) does not extend to protect the	SCOOTY understands the wish to obtain full indemnification for the city and the recommendations to provide coverage similar to the UK. This can be provided and we are exploring this further with our insurance provider.

	rider. Without full indemnification for the City and first and third party insurance coverage (including adequate thresholds) and upfront fees/funds held by the City, e-scooter riders and nonriders, as well as the City and subsequently, its taxpayers, are then exposed to the significant costs of responding to claims and litigation.	
Issues and problems with indemnification agreements with e-scooter rental companies, and liability of e-scooter riders if injured or injuring others; and how someone injured by an e-scooter rider or trip hazard caused by an improperly parked e-scooter would be compensated for damages (e.g., rehabilitation, lost wages, and medical costs).	E-scooter companies are not providing full indemnification and first and third party insurance coverage to riders. • First party coverage would address e-scooter rider injuries such as falls; and • Third party coverage would address e-Scooter rider liability to third parties such as pedestrians or cyclists (e.g. in collisions or tripping incidents). • There have been demonstrated difficulties in obtaining full indemnification from e-Scooter companies. Municipalities have had disagreements with e-scooter companies over indemnification clauses (e.g., Chicago, Oakland) and pursued legal action against e-scooter companies for not complying with the indemnification clauses contained in their agreements (e.g., City of Riverside, California).	SCOOTY understands the wish to obtain full indemnification for the city. Challenges with obtaining full indemnification in American cities are reflective of their legal climate, and many of the issues raised would not apply in Toronto.
Infrastructure Issues and responsibility	E-scooter companies have denied responsibility for losses on municipal property (public infrastructure) where they deem infrastructure	This is a legal issue that is not unique to e-Scooters. The city has a responsibility to provide safe infrastructure.

	conditions to be a contributing factor of the loss.	
Infrastructure Issues and Design Standards	• Existing infrastructure design and minimum maintenance standards do not contemplate e-scooters and their particular features, such as small wheels and their device geometry. In addition, there are several risk factors unique to Toronto, such as: • freezing and thawing from winters that impact the state-of-good-repair for roads. A large portion of roads are 40 to 50 years old, with about 43 per cent of Major Roads and 24 per cent of Local Roads in poor condition. Coupled with lack of mechanical standards for e-scooter wheels (e.g., traction/size), this makes this particular device more sensitive to uneven surfaces; • street conditions are affected by the city's high volume of construction projects (e.g., approximately 120 development construction sites in 2019); and	While we do not have control over the state of the city's road infrastructure, SCOOTY will use crowdsourced data and feedback to proactively inform riders about the risks and make recommendations for appropriate routes and routes to avoid. Crowdsourced data from riders and e-Scooter trips will be collected to update this information, and can be shared with Transportation Services.
	• an extensive streetcar track network of approximately 177 linear kilometres which poses a hazard to e-scooter riders due to the vehicle's small wheels;	15 cities in Europe and the U.S. have shown how e-Scooter programs can coexist with streetcar systems. Streetcar tracks can also be a hazard to bicycles, as already referenced with street signs that warn cyclists about the hazards, and training manuals that advise riders how to approach streetcar tracks.

		SCOOTY has also researched technology that can be used to safely fill flange gaps, and would be happy to share this information with the city/TTC.
Narrow Sidewalks and HIgh Pedestrian mode shares	• narrow sidewalks and high pedestrian mode shares in the Downtown Core and City Centres increase the likelihood of friction on sidewalks with illegal e-Scooter operation on sidewalks and poorly parked e-Scooters.	SCOOTY recommends that e-Scooter operation be limited to outside of downtown, in a model similar to Chicago and New York, until instructure that supports e-Scooters and broad micromobility use is put in place through programs like Eglinton Connects, ActiveTO and the Bike Lane expansion program.
	Comparisons to insurance requirements for bike share programs are not appropriate, as City staff discussed at the January 2021 industry group meeting, as the risk profile of e-Scooters is not the same as those of bicycles. The reasons are based on the design differences and safety research including, but not limited to, the following: • E-scooters have a higher injury rate per mile than bicycles; e-scooter riders are twice as likely or 100% more likely to be injured from pavement cracks, potholes, signposts or lip of curb than bicyclists (IIHS, 2020). • E-scooters with their small wheels are less stable/controllable and more susceptible to road irregularities, and more likely to crash on poorly maintained roads than bicycles; and their manufacturers should explore safety features like larger	SCOOTY has chosen the e-Scooter model that offers the highest standards in the industry, and is proactively training our riders to minimize risks and potential for injury. Models of e-Scooters that offer improved fork rake, three wheels, larger wheels, a seat, and/or other design changes to address some of these issues are available and are being tested in markets, including in New York City. SCOOTY has been working with the provincial government to expand some of the permitted uses and design factors of e-Scooters and will share the City of Toronto’s recommendations.

	wheels, a fork rake, steering stabilisation, indicator lights and a seat. (ITF/OECD, 2020, pp.38-40). • Data from two facial trauma centres in Paris show a trend toward an increase in severe head and neck injuries requiring surgery caused by the use of e-scooters (Hennocq et al., 2020). There is still lack of protection for e-scooter riders with inadequate device safety standards and lack of available insurance.	
	There are also ineffective solutions as of yet to address underage e-scooter riding and intoxicated e-scooter riding.	SCOOTY uses verification of government issued ID; SCOOTY would comply with recommendations to make e-Scooters unavailable at certain hours, reduce the availability of e-Scooters near places where alcohol is served, and take other necessary steps to address this.

Area of Discussion - Micromobility	
Toronto Report	**SCOOTY Response**
While e-scooter trips have been said to overtake bike share trips - this has been in part due to the removal of bike share options in cities (e.g., Calgary and Hamilton in Canada, and Bloomington, Boise, Boulder, Dallas, Denver, Fort Collins, Knoxville, San Antonio and Seattle in the U.S.) and interestingly, bike share is being brought back again. Most recently, the City of San Francisco has been asked by its central area councillor/District 5 Supervisor (Dean Preston) for a publicly-owned and managed bike share and not a system run by private operators that does not meet the city's mobility needs and interests.	Hamilton does not have an e-Scooter program and the Bike Share program was not removed. In Calgary, e-Scooters and e-bikes were introduced together, in their first pilot, and more than 85% of trips were taken on e-Scooters. The return of Bike Share as described may be happening because municipalities understand the e-Scooters and Bike Share/e-Bike share are complementary and serve the different trip needs of different travellers.

In this respect, the City of Toronto may be ahead of the micromobility curve for serving the public's interests. The 2020 Bike Share Toronto expansion added 1,550 bikes, 300 e-bikes and 160 stations to the system. Toronto's system now has 6,850 bikes and 625 stations total, with more than 360,000 users in 2020. Bike Share Toronto is also integrated with transit at 43 TTC stations and 9 GO Transit stations. Almost 3 million trips were generated on Bike Share Toronto in 2020. Other large, urban peer cities in Canada are also focusing on bike share and e-bike share, like Montréal and Vancouver.	SCOOTY has always recommended that e-Scooters be introduced as a complement to Bike Share Toronto, integrated with TTC stations and bus stops, GO Transit stations and Bike Share docks, and part of a system of connected vehicles and data that help inform local mobility demand and the need for additional supply. We are pleased that Bike Share docks were recently expanded outside much of the old City of Toronto boundaries and that Toronto residents have responded by increasing their use of micromobility. Introducing e-Scooters as part of a shared micromobility system would support and complement this growth while improving transit integration and extending the transit ridershed. We are exploring these opportunities with Metrolinx and could do so with the TTC as well.

Area of Discussion - Vision Zero	
Toronto Report	**SCOOTY Response**
The current regulations that prohibit the use of e-scooters in public spaces make sense as they will prevent an increase in street and sidewalk-related injuries and fatalities, and their associated costs.	Automobile related injuries and fatalities for vulnerable road users are a significant issue that must be prioritized by the City of Toronto.
This aligns with the City's Vision Zero Road Safety goals, including consideration of impacts on pedestrians and persons living with disabilities.	SCOOTY has committed to a proactive, Safety, Courtesy, Partnership approach and supports VisionZero implementation that focuses on education and engineering over enforcement (which can lead to equity issues).

Area of Discussion - Community Mobility Equity	
Toronto Report	**SCOOTY Response**
Additional barriers created for pedestrians and persons with disabilities who use	Prohibiting one form of micromobility creates equity barriers by restricting opportunities to

sidewalks out of necessity	seek out affordable mobility options, especially for communities with limited access
Additional concern of being deprioritized for care, given an overburdened health care system and the need for triaging patients during the pandemic.	We recognize this concern and also ask that staff consider that many disadvantaged communities in Toronto have been deprioritized for investment in local mobility. This has had ongoing impacts overcrowding and congestion on transit, limiting mobility and access to services and economic opportunity. These long-standing conditions have affected the ability of many people in disadvantaged communities to avoid the impacts of the pandemic and continuing this deprioritization affects their opportunity to participate fully in the pandemic recovery.