

**April 27, 2021**

Councillor McKelvie, Chair  
Infrastructure and Environment Committee  
City of Toronto  
100 Queen Street West, Suite B25  
Toronto, ON M5H 2N2  
Email: [councillor\\_mckelvie@toronto.ca](mailto:councillor_mckelvie@toronto.ca)

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

Dear Councillor McKelvie and Members of the Infrastructure and Environment Committee,

We the undersigned are writing, as an industry, in relation to the report prepared by staff with respect to issues of accessibility and insurance as it relates to e-scooters in Toronto. We are committed to working collaboratively and strongly believe that if all parties are brought together in advance of the Committee's decision on this matter, we can collectively resolve the following areas of concern:

- Safety, especially for people living with disabilities and seniors, when encountering e-scooters illegally operating on sidewalks and trip hazards or obstructions from poorly parked or numerous rental e-scooters on sidewalks.
  - This is an area of concern for many cities, and operators have come up with a number of solutions that address these concerns such as: Education campaigns, noise making technology, technology that both controls speed and prevents sidewalk riding and lock-to e-scooters that are locked at the end of trips to permitted municipal infrastructure. These solutions have been proven effective in other cities (for example, lock-to technology used in Chicago reduced complaints by 80%) and can be tested in controlled sites in Toronto to demonstrate that they would work here.
- Lack of city resources for enforcement and the major challenges of enforcing moving violations on sidewalks, parking obstructions and vandalism.
  - E-scooter operators are heavily invested in mitigating these issues and have introduced solutions that include, along with the items mentioned above: uniformed staff patrolling streets to address issues in real-time; visible identification numbers on E-scooters allowing riders to be identified, fined, and/or removed from accessing e-scooter apps for egregious riding and/or parking of e-scooters; local 311 integration with local operations teams to ease the burden of enforcement on cities; and, encouraged positive user behaviour by introducing incentive structures such as ride credits for proper parking that reduce instances that need enforcement.

- Problems with indemnification agreements with e-scooter rental companies and liability of e-scooter riders if injured or injuring others.
  - There are various insurance products such as general commercial liability available for e-scooter operators in Canada. Other major Canadian cities such as Calgary and Ottawa with shared e-scooter programs currently in place, have indemnification clauses in their agreements with shared e-scooter operators that satisfy their requirements.
  
- Lack of insurance and medical coverage, and the significant liability exposure to the City when no other party provides compensation, leading to costs associated with claims, litigation and settlement.
  - Shared e-scooter operators have been operating for several years in multiple jurisdictions across Canada. Cities like Kelowna, Calgary, Edmonton, Ottawa, have shared e-scooter programs in place that meet the strict liability concerns of their insurance and risk departments.

We suggest a **working group be established comprised of City of Toronto staff, the e-scooter operators listed below, and members of the accessibility community** to work collaboratively to address mutual areas of interest and concerns and report back to this Committee by **July 5, 2021**. Once the results of the working group are known, the Committee would be in a better position to make a decision on participating in the Ontario e-scooter pilot.

As responsible shared e-scooter operators in other Canadian cities such as Ottawa, Calgary, Edmonton, Kelowna, Windsor as well as many other global cities like New York, Seattle, London, UK, and Rome, we are committed to ensuring that the City of Toronto is confident in our ability as an industry to remedy the above concerns.

We believe strongly that shared e-scooters can be deployed responsibly and have the potential to bring Toronto significant environmental, mobility and equity benefits. We are eager to work with city staff and the accessibility community to ensure that the operation of shared e-scooters are safe for all, in addition to bringing affordable multimodal transportation options to all Toronto residents while helping the City meet its new GHG emissions targets.

Responsible e-scooter programs help solve the first kilometre & last kilometre problem in "underserved edges:" how to get people to/from transit and to/from their destination faster than walking, especially in neighbourhoods where many people don't own cars and transit service can be slow or inconsistent. The city is already testing e-bikes as part of Bike Share Toronto and planning to test autonomous shuttles. We ask that e-scooters be included in this process.

We thank the Chair and the Committee for their consideration and look forward to your response regarding this matter.

Regards,

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cc: Member of Infrastructure and Environment Committee;  
Office of Mayor;  
Matthew Green, Committee Clerk