

From: [Kash M.](#)
To: [Infrastructure and Environment](#)
Subject: IE21.7 E-scooters - Accessibility and Insurance Issues
Date: April 27, 2021 4:52:39 PM
Attachments: [Toronto council to consider benefits, risks of e-scooters_Skedline.pdf](#)
[Smart Wheel Canada Feedback on IE21.7 Escooter Legalization in Toronto.pdf](#)

Hello,

I am Kash Mushtaq, president of Smartwheel Canada. We have been involved in providing people with personal transportation solutions including Escooter, Segways, Wheelchairs, mobility scooters etc since the last 7 years. Being longest in the industry and covering almost all categories of personal transportation, we have heard people's needs and reasons for adopting such devices very loud and clear. I feel it is important to highlight some of the points related to the motion put forward for the IE21.7 Infrastructure and Environment Committee voting on April 28, 2021. I would like to refer to my article published in a skedline interview just a few days ago on a similar discussion. Here is the link to the published article <http://skedline.com/2021/04/toronto-council-to-consider-benefits-risks-of-e-scooters/> and a copy is also attached in pdf format for your review.

I would like to add my direct feedback on the concerns and issues raised from the disability groups and residents in an attached open letter.

I strongly believe that if we make enough efforts to mitigate the real concerns and only allow privately owned scooters, along with permit and insurance implementation. These devices can help reduce City cost of maintain infrastructures and at the same time can bring benefits and cost savings to the people as well as the environment.

Thanks
Kash



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April 27, 2021

RE: IE21.7 Infrastructure and Environment Committee

To Whom It May Concern

In addition to the already interviewed and published article <http://skedline.com/2021/04/toronto-council-to-consider-benefits-risks-of-e-scooters/> Smart Wheel Canada would like to input its feed back towards IE21.7 Infrastructure and Environment Committee voting on April 28, 2021.

This is in response to the concerns and issues raised from the disability groups and residents, our feedback and suggestions are referenced in blue as follows:

- safety, especially for people living with disabilities and seniors, when encountering 1) e-scooters illegally operating on sidewalks and 2) trip hazards or obstructions from poorly parked or numerous rental e-scooters on sidewalks;

I agree poorly parked rental scooters pose a risk and usually the source of these are dock-less rental scooters and they should be banned. Operation of rental scooters is also sometimes a safety concern as currently there is lack of training on devices and usage. There are examples in the USA, Europe, Asia and China where I have personally visited and rental scooter ideas were the biggest risk. Rentals and Rideshare scooters were only found to be helpful at tourist locations.

But in terms of privately owned scooters the picture is completely different. People tend to know their devices and have enough training and practice before using. Further training and awareness could be provided through public awareness on proper parking, operation, and use. Let's separate rental scooters from individually owned scooter riders. All e-riders should be allowed to be privately owned, and operate in Toronto City to allow fairness on both sides. In my opinion individually owned scooter riders are no different than disability scooter riders.

- lack of city resources for enforcement and the major challenges of enforcing moving violations on sidewalks, parking obstructions and vandalism;

Rome was not built in a day, we are willing to collaborate with authorities and put an education manual or pre-qualification test (or some sort of training) at least to rectify this concern. The concern is no different than any other device on the road and even the disability scooters, e-bike, bike riders are exposed to the same concern. So the issue is not the e-scooters, the issue is acceptance, education, learning and adopting. The good example is Quebec, and some USA states.

- problems with indemnification agreements with e-scooter rental companies and liability of e-scooter riders if injured or injuring others; **We need to stop seeing the scooter market overwhelmed by the rental company's agreements. This is the time to separate rental companies motives vs Individually owned scooters that are solely used for personal transportation, deliveries, commuting, pleasure and as a green transport mode replacing tradition carbon emitting modes etc. Remember when Uber started in Toronto, there was a long debate, insurances were not setup properly and so on. This is the time for the e-scooter riders, industry and insurance companies to step up and offer e-scooter liability insurance products. Let's look at the Singapore example where e-scooters are supposed to have a permit. City can make suggestions to insurance boards about what needs to be covered and what not to get the ball rolling.**

- 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. **This is true and a most commonly asked question to us. I suggest a permit and liability insurance to be made mandatory. Lets get that setup and let people use carbon free personal transportation of their choice. I ask a question: Are disability scooters, bikes and e-bikes covered for this? These scooters should not be treated no differently, the need may be different but they all serve the same purpose. They are quiet so they have bells, they must be ridden at slow speeds when passing pedestrians - let's make it mandatory. They need training so let's impose a permit. Need liability coverage, lets introduce a new product tailors to e scooters.**

I strongly believe that if we make enough efforts to mitigate the real concerns and only allow **privately owned scooters**, along with **permit and insurance** implementation, these devices can help reduce City cost of maintain large infrastructures and at the same time can bring benefits and cost saving to the people as well as the environment and economy.

If there are any further questions, or if further discussion is required please feel free to reach me at my direct line 9058056161 ext 100 or by email kash@smartwheel.ca

Sincerely,



Kash Mushtaq
President,
Smart Wheel Canada Inc.

"The citizen e-scooter survey results show that a third of e-scooter trips replace a car trip," the report says. "E-scooters and e-bikes are electrically powered and do not have tail pipe emissions.

"Approximately 55% of shared e-Scooter and e-Bike trips ended in [Business Improvement Area] areas, which feature small local businesses. The shared micromobility companies (the businesses which rented out the scooters) hired 82 full time, 22 part time, and numerous contract staff in Calgary."



(https://11.wp.com/skedline.com/wp-content/uploads/2021/04/Image-2021-04-06_140630.png)

Ottawa, which began a similar program in June 2020, recorded more than 72,720 unique riders and greater than 238,000 rides from Jun. 16, 2020 to Oct. 31, 2020. About 46 per cent of 1,856 respondents to the city's survey said that they drove less as a result of the availability of e-scooters. Seventy-six per cent of the reasons for a trip included "for fun or leisure," indicating that citizens enjoy riding e-scooters. Thirty-four per cent said they used the service to travel to and from local businesses, which the city interpreted as a boost to the economy.

"Trip data demonstrated that 48 per cent of e-scooter trips started in a Business Improvement Area (BIA) and 45 per cent ended in a BIA, indicating that e-scooters brought residents to local businesses and supported Ottawa's economic recovery during the COVID-19 pandemic," the report says.

While e-scooters have shown economic and environmental benefits for the city and seem to be popular amongst citizens, there are safety concerns — not just for riders — that may deter Toronto from giving them the green light.

Accessibility advocates have campaigned against allowing e-scooters on city streets due to their danger to visually-impaired people. The concern is that the scooters, which are nearly silent, can be impossible to detect for the visually impaired. Furthermore, they can be tripping hazards if improperly parked on a sidewalk.

Greg Thomson, in a press release for the Accessibility for Ontarians with Disabilities Act Alliance wrote that "blind people like myself cannot detect silent e-scooters accelerate at us at over 20 KPH, driven by unlicensed, untrained, uninsured, unhelmeted fun-seeking riders. Left strewn on sidewalks, e-scooters are tripping hazards for people with vision loss and an accessibility nightmare for wheelchair users."

The Alliance recommended that Toronto not undertake a pilot project to test the viability of e-scooters, saying that "City Council should not conduct an experiment that endangers Torontonians." The Toronto Accessibility Advisory Committee of City Council announced that it "does not support the use of any electric kick-scooters (e-scooters) including any pilot project in the City of Toronto" in a decision made on Feb. 25, 2021. It also requested a ban on all use of e-scooters in public areas with no exceptions, citing general safety, danger to those with disabilities and the elderly, poorly enforced laws, and more load on already insufficient infrastructure.

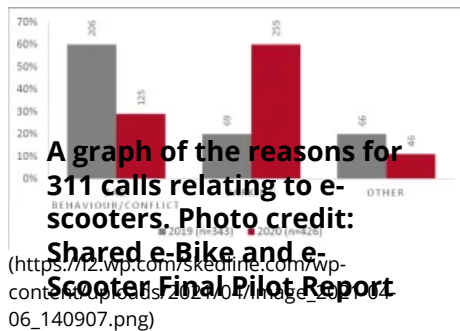
Kash Mushtaq, Director of Business Development at Burlington-based e-scooter merchant Smartwheel, suggested different laws when passing pedestrians.

"I think they need to add this rule: if you're crossing a pedestrian, ring a bell before you approach them, and the cross them at no more than 6 km/h speed," he said. He suggested that the process should make e-scooters no different from mobility scooters when passing on sidewalks.

Public Health Ontario released a literature review of public studies on the safety and efficacy of e-scooters. Twenty-one reports were considered. In a United States study by the National Electronic Injury Surveillance System (NEISS), there were an estimated 32,400 scooter injuries from 2013-17 — around 2.5 cases per 100,000. The rate did not sufficiently fluctuate over time. Head injuries were the most common injury type at 27.6 per cent of all incidences; fractures and dislocations at 25.9 per cent were diagnosed the most. The study found that there were no deaths.

Another United States study conducted from 2000-2017 showed that there was no evidence of e-scooters colliding with pedestrians more than bicycles. This conflicts with the City of Calgary's data which suggests that e-scooters could be up to 100 times more likely than a shared bicycle to result in an injury on a per-trip basis. It also found that e-scooter injuries are more likely to be concussions than those resulting from e-bikes. It reported much higher injury rates than the 2013-2017 study, finding that about 53 per 100,000 presentations to the emergency room were e-scooter related. A different study found that over a 10-year period of 2008-2017, the annual number of incidents tripled. Several of them concurred that powered scooters had a higher rate of head injuries than non-powered scooters. Many of the studies agreed that head injuries and fractures are the most common.

In the City of Calgary's pilot project, there were 75 injuries that required an ambulance. This amounts to a rate of about 4 injuries per 100,000 trips. No fatalities occurred. However, there were around 1,300 results for "e-scooter" in the Alberta Health Services database for emergency room check-ins. The report by the city says that this figure may be inflated due to the search methodology, but if accurate, it would indicate a rate of 68.4 injuries per 100,000 trips. Calgary received 2.6 complaints per day regarding e-scooters, which indicates that concerns over the safety of people with disabilities could be well-founded.



Mushtaq said that Toronto should avoid a dockless model, which does not force riders to return rented scooters to specific stations, in order to keep sidewalks clear.

"The dockless idea is terrible because they'll be leaving them everywhere," he said. "They become vandalized, that becomes property damages, and that actually looks very bad on the city because they just throw them everywhere – I've seen it in China, I've seen it in Washington, I've seen it everywhere, in California too.

Toronto is set to begin considering information regarding e-scooters in April.

"Last year, Toronto City Council requested that staff address e-scooter issues regarding safety, accessibility and insurance and liability and return to Council with and update," the City of Toronto said in a statement. "City staff have since consulted with a variety of stakeholders including the Toronto Accessibility Advisory Committee and other accessibility stakeholders to inform this work.

“Staff expect to report back on all of these issues in a report for the Infrastructure and Environment Committee in late April. It’s expected that the full report and findings will be made public at the time of the meeting.”

Mushtaq said that the city should enact mandatory training and licensing or registration to improve safety and traceability.

“There should be [something] just like a driver’s license,” he said. “A general training and passing a test of one page, or two pages, doesn’t hurt. It’s actually good, because maybe that’s how you get the permit [to operate an e-scooter]; maybe that training should be mandatory to get the permit.

“I’m very positive about this, because without it, it won’t be safe — people will abuse, and there will be problems. But we don’t want to make it complicated; the idea is to keep it simple so people are encouraged to use them.”

He also suggested that ownership should be allowed next to rentals or rideshares, as riders are more likely to ride safely and take better care of scooters they own.

It is expected that councilors will make a decision based on information within the April report.

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