Minutes – Executive Policy Committee – July 15, 2020

Report – Standing Policy Committee on Protection, Community Services and Parks – July 10, 2020

Item No. 2 Mandatory Registration of Bicycles at Time of Purchase

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection, Community Services and Parks and submitted the following to Council:

1. That the feasibility of implementing a point-of-sale registration pilot be received as information.

Report – Standing Policy Committee on Protection, Community Services and Parks – July 10, 2020

DECISION MAKING HISTORY:

Moved by Councillor Gillingham,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Protection, Community Services and Parks be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 10, 2020, the Standing Policy Committee on Protection, Community Services and Parks recommended to the Executive Policy Committee and Council:

1. That the feasibility of implementing a point-of-sale registration pilot be received as information.

COUNCIL DECISION:

On January 30, 2020, Council concurred in the recommendation of the Standing Policy Committee on Protection, Community Services and Parks, and adopted the following:

1. That Council enact a by-law to amend the Doing Business In Winnipeg By-law 91/2008 so that the bicycle dealer category is expanded to include purchasers of bike parts, and that the licence category of "used goods dealers" be expanded to include scrap metal dealers.

2. That the Director of Legal Services and City Solicitor be directed to bring forward an amending by-law in 180 days to implement the foregoing to the Standing Policy Committee on Protection, Community Services and Parks.

Report – Standing Policy Committee on Protection, Community Services and Parks – July 10, 2020

DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

3. That the report on the development of a user-friendly app for registering bicycles; the use of third-party bicycle registries; the implications of free registration of bicycles, be received as information.

4. That the feasibility of implementing a point-of-sale registration pilot be laid over for 180 days.

5. That the Proper Officers of the City of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.

ADMINISTRATIVE REPORT

Title: Bicycle Registry, Measures to Mitigate Bike Theft and Licensing Scrap Metal Dealers

Critical Path: Standing Policy Committee on Protection, Community Services and Parks – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
W. Yee	C. Fernandes	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

This report addresses the bike registry and bike theft through a broader crime prevention lens and incorporates feedback from the Methamphetamine and Illicit Drugs - Action Plan and direction of the Standing Policy Committee on Protection, Community Services and Parks, by leveraging a continuum of measures to help mitigate the problem. The implementation of an expanded license for businesses dealing in used bicycles or bicycle parts, a new licence for scrap metal businesses, and activities such as increasing awareness and promoting use of the City's bike registry, improving user experience in registering bikes, and public information on bike security are intended to achieve the following objectives:

1. Increase bike registrations and opportunities to reunite people and stolen/recovered bikes
2. Provide police with more tools to address stolen bikes and bike parts
3. Curb avenues for disposing of stolen bikes
4. Regulate the operational activities of scrap metal businesses to require photo identification of sellers, consistent with the recommendation of both the Standing Policy Committee on Protection, Community Services and Parks and from the Methamphetamine and Illicit Drugs - Action Plan.

This report provides information on the current bike registry system, implication of a third party provider, implications of a free registry, and the feasibility of implementing a pilot for registration of new bikes sold.

A review of bike registry data indicates a preliminary increase of registered bikes of over 800% per annum since implementation of the online bike registry in April 2018. Consequently, effort will continue to be focused on increasing awareness of this program, improving the user experience, as well as other public messaging and education around bike security.

Additionally, expanding the "bicycle dealer licence" to capture bike parts being transacted, and the licensing of scrap metal businesses will assist in curbing avenues for disposing of stolen bikes for money, and provide police with more tools to investigate stolen bikes and bike parts.

RECOMMENDATIONS

1. That Council enact a by-law to amend the Doing Business In Winnipeg By-law 91/2008 so that the bicycle dealer category is expanded to include purchasers of bike parts, and that the licence category of “used goods dealers” be expanded to include scrap metal dealers.

2. That the Director of Legal Services and City Solicitor be directed to bring forward an amending by-law in 180 days to implement the foregoing.

3. That the report on the development of a user-friendly app for registering bicycles; the use of third-party bicycle registries; the implications of free registration of bicycles; and the feasibility of implementing a point-of-sale registration pilot, be received as information.

4. That the Proper Officers of the City of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

On June 20, 2019, Council concurred in the recommendation of the Standing Policy Committee on Protection, Community Services and Parks, as amended by the Executive Policy Committee, and adopted the following:

That the Winnipeg Public Service be directed to report back to the Standing Policy Committee on Protection, Community Services and Parks within 180 days on the following:

A. The development of a user friendly app for registering bicycles.
B. Explore the use of existing third-party bicycle registries.
C. Implications of free registration of bicycles to encourage registrations.
D. Feasibility of implementing a point of sale registration pilot project with a willing large retailer.

On July 2, 2019 the Executive Policy Committee recommended that the City of Winnipeg undertake the following actions to address the incidence of methamphetamine and other illicit drug in our community, namely... Conduct a review of the City’s legislative authority to require scrap metal dealers to require photo identification of sellers and report back to the appropriate standing committee on this item in 60 days.

On November 14, 2019 the Standing Policy Committee on Protection, Community Services and Parks directed the City of Winnipeg undertake the following actions to address the incidence of methamphetamine and other illicit drugs in our community: ... Report back within 90 days with the necessary amendments to the Doing Business in Winnipeg By-law No. 91/2008 requiring scrap metal dealers to obtain and keep copies of photo identification from those who are selling scrap metal.

IMPLICATIONS OF THE RECOMMENDATIONS

An expanded licence would be in force for businesses dealing in used bicycles and bicycle parts and is likely to capture some businesses that deal in scrap metal transactions in the City of Winnipeg.

In addition, as directed by the Standing Policy Committee on Protection, Community Services and Parks, businesses dealing in scrap metals will be included in the licencing category of "used goods dealers" and will be subject to the same licencing requirements as used goods dealers. They will then be required to implement certain operational practices as a condition of that licence. This includes the requirement to obtain a photograph of the person selling the scrap metal as well as their identification, and keeping records of the acquisition and disposition of the scrap metal for review by police.

Additional licence revenue may result from the recommendation to expand the bicycle dealer license category to include purchasers of bike parts and the licence category of "used goods dealers" to include scrap metal dealers but cannot be determined. Similarly, while activities to increase awareness and promote use of the City's bike registry with one of the objectives being an increase in bike registrations, the number of potential new registrations is uncertain and estimates of net revenue cannot be made.

HISTORY/DISCUSSION

On January 9, 2019, the Standing Policy Committee on Protection, Community Services and Parks passed a motion that the Public Service undertake a consultation with retail outlets, specialty shops and the company that maintains the online bike registry for the purpose of identifying how bicycles can be registered at time of purchase in Winnipeg and the challenges and benefits of such a registration, and to report back to the Committee within 150 days with recommendations.

The Public Service conducted consultation as directed, and concluded that there was little support for a mandatory registry of bikes at time of purchase, but overall valued the availability of a voluntary community registry. A jurisdictional scan of other major cities in Canada showed that most have a voluntary bike registry, administered or supported by the local police service, but that none had a mandatory registry (and any that had a mandatory licensing or registration system previously had eliminated these programs). As a result of the consultation and research, the Public Service recommended that mandatory bike registration at time of purchase not be implemented, but offered opportunities to work with Winnipeg Police Service (WPS) and retailers to enhance partnerships to improve services and theft-reduction resources available to residents.

On May 22, 2019 the Standing Policy Committee on Protection, Community Services and Parks concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to Council: that the report be received as information; and that the Public Service be directed to report back to the Standing Policy Committee on Protection, Community Services and Parks within 180 days on the following:

- The development of a more user friendly app for registering bicycles.
- Implications of free registration of bicycles to encourage registrations.

- Feasibility of implementing a point of sale registration pilot project with a willing large retailer.

On June 20, 2019, Council concurred in the recommendation of the Standing Policy Committee on Protection, Community Services and Parks, as amended by the Executive Policy Committee, and further directed the Winnipeg Public Service to report back to the Standing Policy Committee on Protection, Community Services and Parks within 180 days on the following:

- The development of a user friendly app for registering bicycles.
- Explore the use of existing third-party bicycle registries.
- Implications of free registration of bicycles to encourage registrations.
- Feasibility of implementing a point of sale registration pilot project with a willing large retailer

On July 2, 2019 the Executive Policy Committee directed that the Public Service undertake the following actions to address the incidence of methamphetamine and other illicit drug in our community, namely... Conduct a review of the City's legislative authority to require scrap metal dealers to require photo identification of sellers and report back to the appropriate standing committee on this item in 60 days.

On November 14, 2019 the Standing Policy Committee on Protection, Community Services and Parks directed the Public Service to undertake the following actions to address the incidence of methamphetamine and other illicit drugs in our community: ...Report back within 90 days with the necessary amendments to the Doing Business in Winnipeg By-law No. 91/2008 requiring scrap metal dealers to obtain and keep copies of photo identification from those who are selling scrap metal.

Below is a brief summary of findings in regards to bicycle registries:

A. The development of a user friendly app for registering bicycles.
The current online bike registry was selected to replicate the manual "lost and found" registry. Based on that objective the current provider satisfied the City's requirements and a cost effective online registry was developed and implemented. An "app" was explored with the provider (ePly), who is unable to provide a mobile app without significant revision, development, and cost to the City. However, there are opportunities to enhance user experience of the web based registry through the City's webpage.

B. Explore the use of existing third-party bicycle registries.
A review of existing third-party bicycle registries revealed a few providers whose "core" business is to facilitate cloud based registration of bicycles regardless of municipal or provincial boundaries. If the City were to cancel our current arrangement and pursue a partnership with those businesses, the main drawback would be that the City no longer owns nor controls the data within those registries. In these scenarios, the City would purchase "administrator rights" to gain access to the data.

C. Implications of free registration of bicycles to encourage registrations.
There are two significant consequences to a "free" registration. The first, technical complexity related to filtering out of false registrations; second is the cost to the City both in terms of the actual registration cost to the provider and loss of recoveries for the City. Given the registration amount is nominal ($6.70) the value of a "free" registry would be more detrimental to the City.

D. Feasibility of implementing a point of sale registration pilot project with a willing large retailer.

The Public Service reached out to the large retailer who provided a "favourable" response to the stakeholder survey, through email, phone, and mail. In all circumstances, the retailer did not respond to our request.

Based on our findings, stakeholder surveys, and Councillor feedback, activities and recommendations were developed to achieve the following objectives:

1. Increase bike registrations and opportunities to reunite people and stolen/recovered bikes
2. Provide police with more tools to address stolen bikes and bike parts
3. Curb avenues for disposing of stolen bikes
4. Regulate the operational activities of scrap metal businesses to require photo identification of sellers, consistent with the recommendation of both the Standing Policy Committee on Protection, Community Services and Parks and from the Methamphetamine and Illicit Drugs - Action Plan.

SUMMARY OF ACTIVITIES THAT SUPPORT OBJECTIVES:

Promote the City's online bike registry

Since May 2019, the Public Service has had concerted efforts to enhance public education and awareness through consolidated information on the City of Winnipeg's website, including information on storing and locking bikes safely, reporting a stolen bike, how to register bikes, recycling and disposal of bikes, as well as other cycling information.

Additional measures were taken with the objective to increase registrations, such as public messaging, social and traditional media, and promotional campaigns, focused on protecting bikes from theft, and registration in the City's online registry, to improve the rate of return of stolen bikes.

Partnerships have been developed with local bike shops to explore and distribute retail-friendly printed material (posters/stickers/bike tags) to citizens. In June 2019, the Public Service visited twenty (20) major retail locations, and store managers / owners received various promotional items related to the online bike registry, including 5,000 stickers, 5,000 door hangers, and 300 postcards.

Since implementation of the online bike registry, the number of voluntary registrations has increased significantly. Prior to online registrations, there were 7,113 registrations over an 18 year period for an annual average of 395. In the 17 months since implementation (April 2018 – August 2019) of the online registry, an additional 5,350 registrations have occurred, providing an annual average of 3,776; an 800%+ increase. As such it would be prudent to continue with this model.

Working to increase partnerships and awareness through this stream of activity will further promote use of the voluntary registry. Considering the current results of the online bike registry, and that the Public Service has heard that mandatory licensing of new bikes would add a burden for retailers, mandatory licensing of new bikes is not recommended. Mandatory licensing of new bikes sold would only be considered if retailers are averse to partnering to promote the voluntary registry.

Improve user experience of the existing online bike registry

Efforts will be made to enhance user access to the registry. Measures to enhance access through the City's website and simplification in terms of the "steps" needed to access the program can be acted on that will support increased registrations. For example, trends in registrations indicate that most user input occurs between the months of April to August; in this regard, measures to ease access could be done during this time.

That Council enact a by-law to amend the Doing Business In Winnipeg By-law 91/2008 so that the bicycle dealer category is expanded to include purchasers of bike parts, and that the licence category of "used goods dealers" be expanded to include scrap metal dealers. (Recommendation #1)

Anecdotal feedback from police indicates that bikes are primarily stolen so that they can be sold whole or in parts for money. They believe that many stolen bicycles are sold – whole or in parts – to scrap metal dealers and other businesses.

Any business that buys used bicycles whole is already required to be licenced and must keep comprehensive records about the bicycles being purchased and the person who is selling them. For example, any business that purchases bicycles has to get a licence and is required to keep records of that transaction, including taking a photograph of the seller and photographs of the bike being purchased. Records of bicycles being acquired must be sent to the police daily; personal identification records can be accessed by the police only where there are reasonable grounds to believe that the bicycle was criminally obtained or where the person who sold it has been charged with a crime related to theft.

The WPS believes that applying the same rules to businesses purchasing used bicycle parts will help curb bicycle theft.

Amending the By-law to include businesses that purchase scrap metal within the category of "used goods dealer" will ensure that all scrap metal businesses are licenced and subject to the same rules regarding identification of sellers and the keeping of records as other used goods dealers.

The proposed requirement that sellers of bike parts and scrap metal must provide personal information, including a photograph and identification, which may be shared with police is governed by *The Freedom of Information and Protection of Privacy Act* ("FIPPA"). FIPPA permits the collection of information for limited and specific purposes, including law enforcement and crime prevention. The Winnipeg Police Service believes that stolen bikes are being sold as bike parts, and that stolen scrap metal is being sold to scrap metal dealers, and that the information required by the By-law to be collected by these businesses and provided to police will assist in law enforcement and crime prevention. The WPS believes that these requirements will deter thieves and others from selling stolen bikes and bike parts as well as stolen scrap metal. It will also assist police in detecting and punishing criminal activity. This helps to provide the justification required by FIPPA to impose this requirement.

Licence fees for the Used Goods Dealer Licence under the Doing Business in Winnipeg By-law 91/2008 is $1,350 effective January 1, 2020; we estimate there to be approximately 6 scrap metal businesses in the City of Winnipeg.

FINANCIAL IMPACT

Financial Impact Statement

Date: December 12, 2019

Project Name:

Bicycle Registry, Measures to Mitigate Bike Theft and Licensing Scrap Metal Dealers

First Year of Program **2020**

	2020	2021	2022	2023	2024
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

Additional licence revenue may result from the recommendation to expand the bicycle dealer license category to include purchasers of bike parts and the licence category of “used goods dealers” to include scrap metal dealers but cannot be determined. Similarly, while activities to increase awareness and promote use of the City’s bike registry with one of the objectives being an increase in bike registrations, the number of potential new registrations is uncertain and estimates of net revenue cannot be made.

"Original signed by K. Lemoine"

Kelly Lemoine, CPA, CA
Manager, Finance and Administrative Services
Community Services Department

CONSULTATION

This Report has been prepared in consultation with:
Winnipeg Police Service

This Report has been prepared in concurrence with:
Legal Services

OURWINNIPEG POLICY ALIGNMENT

Direction 6: Take a broad-scaled, complete and collaborative approach to crime prevention.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

n/a

SUBMITTED BY

Department	:	Community Services
Division	:	Community By-law Enforcement Services
Prepared by	:	Terry Cormier, Licensing Coordinator
Date	:	December 12, 2019
File No:	:	CMS-2019-8