Minute No. 491
Report – Standing Policy Committee on Infrastructure Renewal and Public Works – July 7, 2020

Item No. 1 Dockless Electric Bike and Scooter Sharing

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and adopted the following:

1. That the Public Service be authorized to:

    A. Make an official request for the Province of Manitoba to approve a trial which would permit e-scooters to legally operate on the City's transportation network.

    B. Continue to work on a third-party micromobility program.

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

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DECISION MAKING HISTORY:

Moved by Councillor Allard,

That the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works be adopted.

Moved by Councillor Schreyer,

That the matter be laid over to the September 30, 2020 meeting of Council.

Lost

The motion for the adoption of the item was put.

In accordance with Rule 47(7) of the Procedure By-law 50/2007 a recorded vote was held on the above motion, as more than three Councillors asked to be recorded as having voted in opposition to the motion.

Yea: His Worship Mayor Bowman, Councillors Allard, Browaty, Chambers, Eadie, Gillingham, Gilroy, Lukes, Orlikow, Santos and Sharma 11

Nay: Councillors Klein, Mayes, Nason, Rollins, and Schreyer 5

and the motion for the adoption of the item was declared carried.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 15, 2020, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 7, 2020, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

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DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

- Delete Recommendation 1.C.

and submitted the matter to the Executive Policy Committee and Council.

David Grant submitted a communication dated July 6, 2020, in opposition to the matter.

On June 9, 2020, the Standing Policy Committee on Infrastructure Renewal and Public Works granted a further extension of time of 30 days for the Winnipeg Public Service to report back on the matter.

On March 3, 2020, the Standing Policy Committee on Infrastructure Renewal and Public Works granted an extension of time to its June 2, 2020 meeting for the Winnipeg Public Service to report back on the matter.

On September 12, 2019, the Standing Policy Committee on Infrastructure Renewal and Public Works directed the Winnipeg Public Service to report back within 180 days with a revised progress report on the necessary regulatory amendments required to facilitate the introduction of dockless electric bike and scooter sharing in Winnipeg.

D. Patman, Manager of Transportation, Public Works Department, submitted a communication with respect to the matter.

ADMINISTRATIVE REPORT

Title: Dockless Electric Bike and Scooter Sharing – June 2020 Update

Critical Path: Standing Policy Committee on Infrastructure Renewal and Public Works – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Patman, P. Eng.	J. Berezowsky	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The Public Service has investigated the feasibility and operational requirements of making available bicycles, electric-assist bikes (e-bikes) and motorized scooters (e-scooters) for public use by means of short-term rental processes.

A number of challenges have been identified, such as the requirement of the granting of special temporary approval by the Province to allow e-scooters on public right of ways, and the changes to the micromobility industry.

The Public Service is seeking direction as to the desired next steps.

RECOMMENDATIONS

1. That the Public Service be authorized to:

   A. Make an official request for the Province of Manitoba to approve a trial which would permit e-scooters to legally operate on the City's transportation network.
   B. Continue to work on a third-party micromobility program.
   C. Develop a business case for a City-led micromobility program.

2. That the proper officers of the City do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

On September 12, 2019 the Standing Policy Committee on Infrastructure Renewal and Public Works (SPCIRPW) directed the Winnipeg Public Service to report back within 180 days with a revised progress report on the necessary regulatory amendments required to facilitate the introduction of dockless electric bike and scooter sharing in Winnipeg.

On March 3, 2020, an extension of 60 days was granted by the Standing Policy Committee on Infrastructure Renewal and Public Works to the Winnipeg Public Service on this matter.

IMPLICATIONS OF THE RECOMMENDATIONS

Recommendations 1. A and B will be immediately undertaken by the Public Service, while 1. C can be approved at this time; action on it may need to be put on hold until details of the trial are determined between the Province and the City of Winnipeg.

Recommendation 1. B acknowledges that the offerings may be limited in terms of vendors and product and that the trial details may need to be in place before a vendor is willing to enter into an agreement with the City.

A business case would be based upon industry best practices and a jurisdictional analysis, and would include operational, funding and staffing requirements.

HISTORY/DISCUSSION

The Public Service has investigated the feasibility and operational requirements of making available bicycles, electric-assist bikes (e-bikes) and motorized scooters (e-scooters) for public use by means of short-term rental processes.

This work included discussions with Manitoba Infrastructure and review of the Provincial Highway Traffic Act. The initial conversation concluded that e-scooters cannot be legally operated on the public right-of or in public parks in Manitoba at this time, requiring initial offerings to be limited to the rental of bikes and or electric bicycles.

Subsequently, the Public Service developed plans for a potential trial program that would allow one or more third-party private vendors to operate rental programs and report back to the SPCIRPW on challenges, successes, and other feedback. A public feedback component was also included in the trial plans.

The intent was to transition the trial, if successful, into a long-term program that involved formal agreements with one or more firms to operate independent micromobility businesses at an arm’s length from the City, but according to City-defined guidelines.

These guidelines would be a key component of any long-term program, as other jurisdictions have identified the need to regulate such vendors so that the equipment, which is typically left unattended in a city right-of-way (e.g. on sidewalks for easy access by customers), does not create safety hazards or become a nuisance.

In preparing plans for the proposed trial, the Public Service worked cross-departmentally to develop draft guidelines and secure Innovation funding to support the program.

Through this planning phase, however, additional information came to light and circumstances of the micromobility industry have changed; as such, the Public Service has returned to SPCIRPW to seek guidance on next steps.

Ahead of finalizing the draft guidelines, the Public Service created and released an EOI (Expression of Interest) to get a current "temperature check" regarding the industry and which private vendors might be interested in participating in the trial. While it was anticipated that a number of high-profile firms would respond to the EOI, the City received but one response. Further investigation revealed that a number of the larger players in the micromobility field have modified their activities away from offering a range of products and now only offer e-scooters.

The Public Service is prepared to continue pursuing the trial with an amended program model (and associated guidelines); however, any further action would require a change to Provincial legislation to allow for e-scooters on public right-of-way.

As such, the Public Service wishes to seek direction on the following two related matters:

1. Through discussions with the Province of Manitoba, the Public Service anticipated any local micromobility trial would be multi-stage, beginning with conventional bikes first, followed by e-bikes. E-scooters were only envisioned as being permitted after the first two phases were shown to be successful and issues related to the legality of e-scooters were resolved.

   It is currently not possible to legally operate e-scooters on the transportation network in Manitoba; this is also the case in many other jurisdictions in Canada. In some Canadian provinces, e-scooters have been granted special temporary approval by the Province to be used in a trial fashion on municipal transportation networks, so that the levels of government involved can learn more about various aspects of their operation, e.g. how safely they are utilized by the public.

   It has been suggested by some stakeholders that the City should request a similar approval from the Province of Manitoba. This may have a positive result on micromobility firms being willing to become active in the Winnipeg market.

2. It appears that, if the City is interested in the provision of micromobility options, the Public Service may have to take an active role as a stakeholder in the operation of this program, as a third-party private vendor may not be willing to independently enter the Winnipeg market to make all micromobility options available (e.g. modes other than e-scooters). Other cities have done this and many programs have become popular. The cost of such a program could be quite significant but there appear to be merits to offering such a program as a City service. This option could be explored as a pivot from working

with a third-party private vendor, but more research would be needed. Such a service would be resource-intensive and require its own staffing as part of an ongoing program.

FINANCIAL IMPACT

Financial Impact Statement **Date:** June 1, 2020

Project Name:
Dockless Electric Bike and Scooter Sharing – June 2020 Update

COMMENTS:

There is no financial impact associated with the recommendation of this report.

"Original signed by J. Peters, CPA, CGA"
J. Peters CPA, CGA
Acting Manager of Finance & Administration

CONSULTATION

This Report has been prepared in consultation with: N/A

OURWINNIPEG POLICY ALIGNMENT

The direction of this report is aligned with the key strategic goal of a safe, efficient and equitable transportation system for people, goods and services in the Sustainable Transportation Direction Strategy that supports OurWinnipeg.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Provision of micromobility options such as those identified here would be aligned with multiple key directions in the Winnipeg Climate Action Plan:

1.4 Encourage Sustainable Transportation Options
2.2 Develop Public Education and Awareness Campaigns Related to Sustainable Transportation
3.4 Increase Active Transportation Rates

SUBMITTED BY

Department: Public Works
Division: Transportation
Prepared by: D. Patman, P. Eng., Manager – PWD-Transportation
C. Baker, Active Transportation Coordinator
Date: June 5, 2020