

Council Information Memo

To: Mayor Burton and Members of Council

From: Eric Chan – Manager, Transportation Planning

CC: Jane Clohecy – CAO,
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Date: October 1, 2024

Subject: E-Scooters – Current Regulations and Future Plans

This memo provides a summary of the rules and regulations regarding e-scooter use, an update regarding enforcement, and information regarding current reviews of future e-scooter use in Oakville.

Background

Recently there has been an increased number of inquiries from Councillors and public members about e-scooters and their current and future use in Oakville.

The electric kick scooter (also known as e-scooter) is a new mobility device that has many varieties. Typically, e-scooters have two wheels (one at the front and one at the back), a platform to stand on and a handlebar for steering, and with an electric motor. **Figure 1** illustrates a typical e-scooter. **Figure 2** illustrates other forms of mobility device that may be recognized as “e-scooters”, but they are not considered to be the official e-scooter as per the definition from Ontario’s legislation.

A wide variety of e-scooters are available for purchase or for rent, in stores or online. There has been no government standardization to regulate the design and manufacture of e-scooters for purchase and for rent.



Figure 1: Typical e-scooter



Figure 2: Other mobility devices

While we do not have specific counts of e-scooter usage, through observations it is evident that e-scooter ridership is on the rise in Oakville and beyond. E-scooters are popular because they are:

- convenient for recreation or commuting. They are lightweight and foldable, and easy to transport and store, making them attractive for first mile/last mile options,
- an attractive mobility option for those who consider other mobility choices infeasible or unavailable, and do not require much physical effort to use,
- affordable, with inexpensive models available to buy or rent,
- climate-conscious, requiring less energy and creating no pollution at the point of use.

Under the current rules and regulations, e-scooters are not permitted to be ridden on Oakville roadways, sidewalks, multi-use trails, or off-road trails within municipal parks.

In municipalities that do not participate in the Electric Kick-Scooter program, a scooter may be classified as a "vehicle" under the Highway Traffic Act (HTA).

A municipal program supporting the use of electric kick-scooters is authorized under O. Reg. 389/19, **Pilot Project – Electric Kick-Scooters**. This regulation provides clarity for enforcement, stating: "No person shall operate an electric kick-scooter on a highway, sidewalk, trail, path, or walkway, or in a public park or exhibition ground unless such operation is permitted by and in accordance with a municipal by-law."

In Oakville, under **Traffic By-law 1984-001**, **Parks By-law 2013-013**, and **Halton's Traffic By-law 1984-001**, there is no specific reference to e-scooters in the definitions or permitted uses. As a result, by default and in accordance with the Highway Traffic Act, e-scooters are not permitted in Oakville.

A Provincial **5-year e-scooter pilot project** began on January 1, 2020. Under the e-scooter pilot project, municipalities can pass local by-laws to allow e-scooters within municipal rights-of-way. To date, there are 16 municipalities in Ontario participating the pilot, including Mississauga, Brampton, Hamilton, Cambridge, Waterloo Region, London, Oshawa, Pickering, Durham Region and Ottawa. To date, **Town of Oakville has not opted-in to the Provincial 5-year e-scooter pilot**. The pilot was to expire in 2025, but the Province is now proposing a five-year extension to November 27, 2029. The details of the extension proposal can be found on the Ontario website in this [link](#).

Discussion

There has been a recent increase in questions and concerns about e-scooter use.

Regardless of the regulations, many individuals own and use e-scooters on municipal streets, sidewalks and bike lanes, which poses risks to other road users and themselves. The majority of the concerns are related to:

- Riding or parking an e-scooter inappropriately on the sidewalks and other shared public spaces, especially at busy roadways and intersections,
- Speed of e-scooters – both on-street (including in bike lanes) and off-street (sidewalks, multi-use trails, parks trails),
- Lack of safety equipment such as helmets, lights and bells
- Young riders, especially those without training and education on how to safely ride an e-scooter,
- Lack of enforcement of e-scooters in general, and for specific issues such as e-scooters conflicts with pedestrians, speed and careless rider behaviour.

Municipal Enforcement Services does not currently enforce violations related to e-scooters. Municipal Enforcement officers cannot stop e-scooter riders to issue tickets. According to the [HTA](#), Section 216 (1) and 218 (1), a police officer has the authority to require a driver of a vehicle to stop and provide identification. This authority does not include municipal by-law enforcement officers. Where possible, Municipal Enforcement officers will educate riders on the rules related to e-scooters and may enlist the assistance of Halton Regional Police Service (HRPS).

Halton Regional Police (HRPS) currently do not lay charges to the offences related to e-scooters under the Highway Traffic Act. The e-scooter definition and prohibition are stated in the pilot regulation and not in the main body of HTA, which makes enforcement under HTA more challenging in communities that have not opted-in to the Province's e-scooter pilot.

The **Transportation Master Plan (TMP) is assessing the future of e-scooters as part of the suite of mobility options in Oakville.** The e-scooter assessment is reviewing needs, feasibility, implementation requirements, capital and operating cost estimates, enforceability and maintainability. Complementary to the primary TMP work, research and analysis regarding key destinations, and areas where e-scooter use is expected to be highest was also completed. E-scooter use is expected to increase as

Oakville grows, Shorter-distance trips to reach destinations (e.g. schools, parks, transit stops, cultural/tourism attractions) and use by youth and young adults are expected to be popular for e-scooters.

Public consultation on the TMP is ongoing, and e-scooter consultation is included in that work. Draft recommendations on e-scooters will be presented at the third Public Information Centre (PIC) on October 23, 2024 and through follow-up pop-up events.

Two reports on the TMP are planned: in December 2024 to present the draft TMP report and recommendations, and in Q1 2025 to present the final draft TMP and implementation plan endorsement.

A report specific to e-scooter recommendations will also be presented at a future Council meeting.

Summary

Planning for e-scooters, managing their use, and enforcing infractions are complex, and that complexity will increase as Oakville and the surrounding areas continue to grow.

Through the TMP, the role of e-scooters in supporting mobility within Oakville is being reviewed and the upcoming public consultation on the proposed TMP recommendations provides opportunities for public comment and input. A staff report on e-scooters, including rules, regulations, safety, the Provincial e-scooter pilot and education, will be included on the November Council agenda, in advance of the staff reports on the overall TMP.