

Khan, Rusha

Subject: Brampton Accessibility Advisory Committee Gets Seriously Troubling Presentation on E-Scooters by Brampton City Staff

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From: **AODA Alliance Updates** <updates@aodaalliance.org>

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To: [REDACTED]

Accessibility for Ontarians with Disabilities Act Alliance Update

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Brampton Accessibility Advisory Committee Gets Seriously Troubling Presentation on Electric Scooters by Brampton City Staff

March 9, 2022

SUMMARY

On the evening of March 8, 2022, the Brampton Accessibility Advisory Committee discussed the seriously problematic Brampton City staff's proposal to allow e-scooters in that city. The AODA Alliance was one of the presenters who spoke at this virtual meeting in opposition to e-scooters.

We called on the Brampton Accessibility Advisory Committee to recommend in the strongest terms that Brampton should not allow e-scooters. They endanger safety and accessibility for people with disabilities, seniors, and others.

Below, we set out the Brampton City Staff report to the March 8, 2022 meeting of the Brampton Accessibility Advisory Committee. We also set out the June 23, 2021 City Staff Report that Brampton City Council approved last year, and which recommended that Brampton conduct a pilot project with e-scooters.

What is especially stunning about the two reports that we include below, is that neither say a word about the proven twin dangers that e-scooters pose for people with disabilities, seniors, and others.

1. A silent menace, e-scooters, appearing out of nowhere, are ridden on sidewalks in cities that ban them from sidewalks. Uninsured, unlicensed, untrained, unhelmeted joy-riders, racing at 20 KPH, endanger the safety of innocent pedestrians, especially those who can't see them coming or who can't quickly dodge them.

2. Often left strewn on sidewalks, e-scooters are tripping hazards for us blind people, and an accessibility nightmare for wheelchair users.

The June 23, 2021 City Staff Report goes as far as to conclude that this has no financial or other implications for Brampton. This treats people with disabilities, and the injuries and losses they would suffer, as if they don't exist.

How can Brampton's City Staff Reports and Brampton City Council have ignored this? These concerns were the very reason why Toronto City Council unanimously voted not to allow e-scooters in Toronto. Last week, Ottawa's Transportation Committee received ample proof that these twin dangers were created in Ottawa during two successive years of e-scooter pilots.

We have been very visible as raising disability issues with e-scooters around Ontario, including in the media. Yet Brampton and its City staff never reached out to us to find out anything about our concerns.

What Brampton City staff presented at the March 8, 2022 meeting of the Brampton Accessibility Advisory Committee was extremely disturbing. It showed an ongoing marginalization of safety and accessibility for people with disabilities, and a one-sided acceptance of the sales pitch from the e-scooter corporate lobbyists. It was clear that Brampton City staff have spent a lot of time talking to the e-scooter corporate lobbyists. In contrast, they have not talked to us at all. Below we give more details.

On February 25, 2022, we wrote Brampton's Mayor Patrick Brown and the Brampton City Council, calling on them to say no to e-scooters. We invite one and all to do the same. People in Brampton with disabilities deserve better than to have their needs, their safety, and their accessibility so blatantly ignored.

In the June 2 provincial election, we have called on political parties to agree to ban e-scooters from all municipalities in Ontario. We should not have to fight these battles in one municipality after the next. It is especially unfair that on the evening of March 8, 2022, both Brampton's Accessibility Advisory Committee and the City of Mississauga were holding meetings on the topic of e-scooters at the same time. People with disabilities cannot be in two places at the same time to present, even virtually.

Brampton City Council members, like all other municipal politicians, have to be ready for this fall's Ontario-wide municipal election. What politician wants a record of endangering people with disabilities, seniors, children, and others?

To learn more about the AODA Alliance's efforts to protect people with disabilities from e-scooters, visit the AODA Alliance website's e-scooter page.

MORE DETAILS

A Seriously Wrong-Headed Disregard of Safety and Accessibility for People with Disabilities -- What Brampton City Staff Had to Say at the March 8, 2022 Meeting of the Brampton Accessibility Advisory Committee

Very troubling information was revealed at this meeting. It was clear that this was the first time that the City of Brampton had discussed the issue of e-scooters with the Brampton Accessibility Advisory Committee. Since serious disability issues with e-scooters have been raised in so many other Ontario cities, it was incumbent on the City of Brampton to seek input from its own Accessibility Advisory Committee well before taking this issue to Brampton City Council for its approval. It is highly likely that last year, when Brampton City Council approved an e-scooter pilot, its members only knew about the e-scooter corporate lobbyists' sale pitch, and not about serious disability concerns.

It gets worse. City staff told the Brampton Accessibility Advisory Committee during this meeting that City Council has already approved an e-scooter pilot in Brampton, and staff's job is to go about implementing it. The City staff's message to the Accessibility Advisory Committee was as clear as it was troubling: Brampton is

going ahead with a pilot, and the only issue that was really open for the Accessibility Advisory Committee's discussion was how the pilot will be conducted.

This flies in the face of the entire mission of the Accessibility for Ontarians with Disabilities Act. Where a significant issue that affects safety and accessibility for people with disabilities arises, it is wrong for City staff to go to City Council and get directions to proceed, without alerting City Council to the disability safety and accessibility concerns. It compounds this serious error to then months later to tell the Accessibility Advisory Committee in effect that it is a done deal, since City Council has already approved that initiative.

It got even worse. City staff made a detailed oral presentation to the Brampton Accessibility Advisory Committee about e-scooters. It was extremely one-sided, emphasizing their alleged benefits. The presentation virtually ignored the major disability issues that have been demonstrated in other cities. Had the presentation been made by the e-scooter corporate lobbyists, it would not have sounded any different.

The public expects a professional public service at any level of government to provide an objective and balanced assessment of any policy proposal being considered, including possible benefits and possible harms. On that score, Brampton City staff abjectly and miserably failed. All people in Brampton deserve better, including people with disabilities.

Could it get worse than that? In that presentation, City staff emphasized that its goals included such things as transportation equity, and making Brampton safer and more livable. In that regard, City staff presented e-scooters as having only benefits on those measures. They did not even consider much less address the demonstrated fact that e-scooters would undermine equity for people with disabilities, who already face too many barriers in any community in Ontario. They did not recognize that e-scooters have been proven to make a community less livable and more dangerous for many, including people with disabilities.

In response to deputations that evening such as that of the AODA Alliance that presented these dangers, Brampton City staff did not dispute these concerns, or present any proof that they had not materialized. Instead, they argued that Brampton should do a pilot with e-scooters because it is a different community than other cities like Toronto or Montreal.

Regrettably, the Accessibility Advisory Committee members were not in a position to point out that this argument is transparently absurd. In any community where e-scooters have been allowed, people ride them on sidewalks even though this is banned. There is no reason to think that the people living in or visiting Brampton are magically immune to the temptation to ride an e-scooter on sidewalks, especially when there is no effective law enforcement to stop them. In other cities that allow e-scooters, they are left dangerously strewn on sidewalks. Here again, there is no credible argument that people living in or visiting Brampton are similarly incapable of that conduct.

People with disabilities living in or visiting Brampton are just as prone to suffer injuries if struck by an e-scooter racing at 20 KPH, or if they go flying after tripping over an e-scooter, left on a Brampton sidewalk. In any case, Brampton should not use people with disabilities and others as unwilling guinea pigs to test out Brampton City staff's human experiment, when their safety and accessibility is endangered.

The upshot of that meeting was that City staff will endeavour to arrange for an e-scooter rental company to do a demonstration of e-scooters for members of the Accessibility Advisory Committee. If that is to be meaningful, it should demonstrate how easy it is to ride an e-scooter on a sidewalk, and the dangers that poses to pedestrians, especially those with disabilities. They should also demonstrate the tripping hazard posed by an e-scooter left lying on the ground, and the way this can block mobility of a person using a wheelchair. That should be open to the public to attend, including people with disabilities and disability organizations. It should be recorded on video, and posted online.

It is noteworthy that Brampton City staff had earlier arranged for a demonstration of e-scooters for others, such as Brampton's Cycling Committee. Here again, the fact that Brampton gave priority to getting input from others, but not from the Accessibility Advisory Committee, shows a worrisome devaluation of the safety and accessibility needs of people with disabilities.

That unacceptable theme was woven throughout this experience. It was perhaps most obvious when a senior City staff official said that while our issues raise concerns about accessibility, the e-scooters pilot proposal is looking at a broader perspective on accessibility. What that says to people with disabilities is that while e-scooters may endanger your accessibility, they will provide more transportation options for people who have a car, but who would rather ride an e-scooter. Brampton's City Council should resoundingly reject that inequitable way of looking at people with disabilities, especially when it is presented as advocating for equity.

March 8, 2022, City of Brampton Staff Report to the Brampton Accessibility Advisory Committee

Micromobility Electric Scooter Pilot Presentation Overview

Accessibility Advisory Committee

March 8, 2022

- Micromobility refers to a range of small, light weight devices operating typically below 25 km/hour and is ideal for trips up to 10 km.
- A safe micromobility network provides equitable access to more places for more people.
- Most people in cities do not own cars. Micromobility unlocks more city for more people
- Micromobility increases access to public transportation
- Replacing cars for short trips
- Electric devices make micromobility more attractive to people who may not use traditional 2 or 3 wheelers. E-micromobility expands the area riders can travel easily without a car.

Ontario NEWS RELEASE Summary

Ontario Announces E-Scooter Pilot to Help Grow Ontario's Economy

E-scooter pilot will make it easier for people to get around

- 5 year pilot
- Start: January 1, 2020
- Municipalities must pass by-law to permit/regulate
- Max speed 24 km/hr
- Max weight 45 kg
- Operating age 16 years old
- No passengers
- No cargo
- No baskets
- Riders must be standing
- Helmet required for under 18 years old
- Must have a horn/bell
- Must have lights on back and front

Principles behind Streets for People:

- Create Safe and Accessible Streets
- Promote Healthy and Active Living
- Improve Transportation Choice and Balance Priorities
- Develop Connected Networks
- Respect Existing and Planned Context
- Create Vibrant and beautiful Places
- Enhance Economic Vitality
- Improve Sustainability and Resiliency

Summary Of Committee of Council Report – June 23, 2021

THAT all necessary by-laws be enacted to permit and regulate the use of personal e-scooters in the City of Brampton in accordance with the Provincial Pilot (ON Reg. 389/19); and,
THAT staff be directed to develop a pilot to assess the uptake and impact of an e-bike/e-scooter share system in the City and report back to Council at a future committee meeting with details of the pilot.

How it works:

- electric powered
 - riders push off with their feet to get going and to assist the scooter during steep incline
 - throttle provides acceleration
 - use app-based GPS tracking technology
 - speed are regulated
-
- **Length of Agreement:** two years - one-year optional renewals for an additional three term.
 - **Number of Operators/Scooters:** three operators with a fleet of no less than 250 scooters and no more than 500 scooters.
 - **Operating Speed:** maximum speed of 20 km/h and will be “geo-fenced” to reduce speed to 15 m/h
 - **Operating Areas:** roads with posted speeds less than 60 km/hour, bike lanes, multi-use paths, and major and minor recreational trails. Electric scooters will not be permitted to operate on sidewalks.
 - **Lock-Up Electric scooters:** required to have a “locking” mechanism and will be required to be fastened to a rack or pole to ensure that they cannot be left anywhere.
 - **Parking Management and Enforcement:** operators will be required identify and implement electric scooter parking/docking areas.

Terms of Reference

- Fleet Operations and Maintenance Plan
- Staffing Plan
- Geographic Area
- Data Management, Sharing and Reporting
- Low Greenhouse Gas Emissions Plan
- Website, Smartphone Application and Open Application Interface Plan
- Fleet Size and Operating Area Plan
- Communication and Education Strategy
- Vehicle Parking Plan and Right-of- Way Safety Plan
- Vehicle and Equipment Safety Requirements
- Insurance and Liability
- Compliance, Security and Enforcement Plan
- Fleet Expansion
- Additional Infrastructure and Education Support

Questions:

- Would you have concerns with sharing trail/path/road with an electric scooter?
- Do you have any accessibility related concerns with the pilot?
- If a demo day was provided, would the Committee be interested in attending?

City of Brampton's June 23, 2021 Staff Report to Brampton City Council on Electric Scooters

Staff Report

The Corporation of the City of Brampton

2021-06-23

Subject: City of Brampton Micromobility (E-bike/E-Scooter) Pilot (All Wards)

Contact: Nelson Cadete, Project Manager, Active Transportation, Planning, Building and Economic Development Department

Report Number: Planning, Bld & Ec Dev-2021-686

Recommendations:

THAT the report from Nelson Cadete, Project Manager, Active Transportation, Transportation Planning, dated June 9, 2021, to the Committee of Council meeting of June 23, 2021, re: City of Brampton Micromobility (E-bike/E-Scooter) Pilot (All Wards) HF.x be received; and,

THAT all necessary by-laws be enacted to permit and regulate the use of personal e- scooters in the City of Brampton in accordance with the Provincial Pilot (ON Reg. 389/19); and,

THAT staff be directed to develop a pilot to assess the uptake and impact of an e-bike/e- scooter share system in the City and report back to Council at a future committee meeting with details of the pilot.

Background:

Micromobility is a travel mode used for short distance trips provided by lightweight, usually single-person vehicles, such as bicycles and scooters. More recently, micromobility systems have evolved to provide users with access to power assist vehicles such as pedal assist bikes (e-bikes) and electric kick-style scooters (e-scooters) to complete short trips in an urban setting and provide a “first and last mile” solution, connecting destinations to higher order transit systems.

While conventional bike share programs have existed for several years, new vehicle innovations such as e-scooters and e-bikes, together with different ownership/operation models (for sharing programs) are presenting municipalities with a number of decisions to make when considering micromobility solutions to add to their menu of transportation options:

- public or private ownership of the system;
- vehicle types: bikes, e-bikes, e-scooters, etc.;
- docked station systems require that all vehicles be returned to a station (Hamilton and Toronto examples) or dockless where the vehicle can be left free standing (typically in a designated area) or locked to any bike rack or street furniture.

The consideration of micromobility in the City of Brampton is supported by Council- endorsed guiding principles (PDC019-2021) that are informing the Transportation Master Plan Review and Update. Micromobility provides an example of how the City can rethink the more conventional, auto-centric approach and tools utilized for transportation network planning. Public access to a fleet of shared, small and environmental friendly vehicles supports the multi-modal needs for city building and a more sustainable, green, attractive, healthy and safe city.

- Enhance Mobility and Travel Options for People and Goods
- Advance Multi-Modal Transportation Equity
- Integrate Transportation and Land Use Planning
- Protect Public Health and Safety

- Improve Environmental Sustainability
- Leverage Technology
- Emphasize Community Engagement and Collaboration

On November 27, 2019, the Government of Ontario announced a 5-year e-scooter pilot (O. Reg. 389/19) that began on January 1, 2020, as part of the Open for Business Action Plan. Under the pilot, municipalities are able to pass local by-laws to allow e-scooters within municipal rights-of-way, along with other regulations which can be imposed on providers of shared e-scooter systems.

The Regulation for the pilot program stipulates various e-scooter vehicle and operator safety criteria which must be met. Municipal considerations mentioned in the Province's guideline document are geared towards management of private e-scooter sharing systems which can now operate in Ontario under this pilot program.

The Province's Regulation and its guideline document are attached as Appendix 1 and Appendix 2.

In 2020, Scooty, a GTA-based micromobility company that provides e-scooters, conducted a number of demonstrations at Chinguacousy Park to introduce e-scooters to the public and to collect data on public perceptions and user experiences of this new transportation mode. The following results from the Scooty demonstration were provided at the September 23, 2020 Committee of Council meeting: