

## **Appendix 1 – Response to AODA Alliance Concerns**

The City of Mississauga is preparing to introduce a shared micro-mobility program. Active Transportation staff worked with IBI Group in 2022 to complete Phase 1 of the Micro-mobility Program Development project, identifying a recommended vehicle type, system model, and governance model most appropriate for the City. The staff report was considered by General Committee at its meeting on June 15, 2022.

In response to the staff report, the AODA Alliance made a deputation to General Committee outlining various accessibility related concerns regarding the potential implementation of a shared micro-mobility program.

### **Full List of Concerns Raised by the AODA Alliance**

- Report Misses Key Disability Concerns
- City Staff Excessively Dazzled by "Micro-mobility"
- City Staff Didn't Study Harmful Impact of E-Scooters on Vulnerable People with Disabilities
- Safety and Accessibility Not Even Identified as Program Goals
- Report Inaccurately Claims that this Proposal Has No Financial Implications for the City of Mississauga
- Wrong to Claim Strong Public Support for E-Scooters
- Bogus Claim Geo-Fencing is Effective Solution
- Disability Safety Concerns Omitted From Staff Criteria for Evaluating Different Kinds of Vehicles
- City Staff's Hybrid Model for E-Scooter Problem Especially Harmful for Vulnerable People with Disabilities and Others
- Failure to Include Mississauga's Mandatory Duty Not to Create New Disability Barriers In Program Goals
- No Details on Vital Issue of Enforcement
- First Mile, Last Mile Benefit is an Unproven Smokescreen
- Staff Misses the Point on Equity and Accessibility
- Not Enough to Promise People with Disabilities More Consultations

### **Response to Key Concerns Raised by the AODA Alliance**

#### **Report Misses Key Disability Concerns**

Accessibility was identified as a strategic pillar in the visioning sessions at the start of the Micro-mobility Program Development project.

Throughout the project, staff have kept safety and accessibility as high priorities when setting requirements for the service provider(s) and developing the program's Monitoring and Evaluation Framework. The framework will allow staff to assess the system as the program progresses so that the project goals and objectives are met.

Both accessibility and safety are key goals identified in the Monitoring and Evaluation Framework. An emphasis on ensuring accessibility in the system and preventing or mitigating

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the introduction of any barriers into the built environment is highlighted throughout the framework. Following the system launch, staff will work closely with the service provider(s) to continually adjust the program and improve safety and accessibility for all users should any concerns arise.

### **City Staff Didn't Study Harmful Impact of E-Scooters on Vulnerable People with Disabilities**

IBI completed a review of micro-mobility systems in peer cities across North America to determine some of the key implications of different types of shared micro-mobility models. The review considered multiple criteria, including safety and accessibility, to evaluate the pros and cons of each vehicle type, governance model, and system model before recommending a preferred option for the City of Mississauga.

The City also approved the operation of privately owned e-scooters within the municipal boundary on public roadways with a posted speed limit of up to 50 km/h and cycling infrastructure (i.e. multi-use trails along roadways and bike lanes). Staff are monitoring public health data as well as any feedback or complaints related to e-scooters through an online forum and 311.

When setting requirements for the service provider(s) and developing the program's Monitoring and Evaluation Framework, staff have connected with peer cities in Ontario to learn best practices, understand the varied approaches to permitting e-scooters in their municipalities, and ensure the City of Mississauga's Shared Micro-Mobility Program has supporting infrastructure and policies in place to ensure success.

### **Safety and Accessibility Not Identified as Program Goals**

On September 28, 2020, City Staff conducted a cross-departmental visioning session for micro-mobility in Mississauga. The session resulted in eight strategic pillars, intended to guide the micro-mobility project, as follows:

1. *Accessibility and Ease of Use* – avoid creating accessibility barriers to the extent possible and ensure systems are available for use to all residents (geographically, financially, physically);
2. *Addressing Climate Change* – reduce vehicular traffic congestion/move people rather than cars and improve mode share for active transportation;
3. *Build Sense of Community* – nurture community by developing a vested interest in micro-mobility, including public art components;
4. *Education* – improve residents' understanding of the rules of using micro-mobility systems;
5. *Leverage and Partner with Business* – monetize or capitalize on the presence of micro-mobility, including sponsorship and the use of micro-mobility vehicles for goods movement;
6. *Mobility as a Service* – provide a wide variety of ways to move around the city, including combining modes of travel;

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7. *Safety* – build complete streets, including separated active transportation corridors; and,
8. *Supporting Infrastructure and Policies* – create a robust and sustainable financial model, and address liability and risk.

A corporate report, including the above-mentioned vision, was considered by General Committee at its meeting on December 2, 2020 and received by Council on December 9, 2020.

The eight strategic pillars listed above form the foundation of the Monitoring and Evaluation Framework for the Shared Micro-mobility Program.

### **Wrong to Claim Strong Public Support for E-Scooters**

Throughout the project, Staff have engaged with the public through various platforms to answer questions, listen to concerns, and ensure the proposed program meets the needs of the population it is intended to serve. Since February 2021, when the City's by-laws were updated to permit and regulate the use of personal e-scooters in the City of Mississauga, a webpage has been available on the City's website to provide residents with information on the provincial pilot and allow them to ask questions and voice concerns. Staff have continued to engage with residents through social media, an open house, online survey, and committee presentations and consultation.

The feedback received through these varying means of engagement has shown strong support for a shared micro-mobility system in Mississauga.

The Monitoring and Evaluation Framework will help staff further gauge support by engaging with a broader population and have voices from across the City provide feedback to ensure the micro-mobility system remains responsive to the needs of Mississauga residents.

### **Bogus Claim Geo-Fencing is Effective Solution**

An important part of Phase 1 of the Micro-mobility Program Development project was a peer review of micro-mobility systems in cities across North America. Geo-fencing has been used by numerous municipalities as one of many tools used to address safety and accessibility concerns.

Geo-fencing is not the only solution to the concerns raised by the AODA Alliance. There is no one solution. Each concern will be evaluated and a suitable tool, or series of tools, found to address that concern. Staff's list of requirements from service providers will see a number of tools employed to help address safety and accessibility concerns around sidewalk riding and misparked devices.

As part of the evaluation process for securing a service provider, Staff will require demonstrations to field-test the proposed technology prior to awarding a contract. Members from the City's Accessibility Advisory Committee have been invited to take part in the demonstrations. The competitive procurement process can ensure that the service provider(s) awarded the contract meet the program's requirements.

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### **Disability Safety Concerns Omitted From Staff Criteria for Evaluating Different Kinds of Vehicles**

The safety of vulnerable road users has been considered throughout the Micro-mobility Program Development project, from its visioning, to the use of personal e-scooters in the City, and as key evaluation criteria for Phase 1 of the project.

In order to limit conflicts between pedestrians and e-scooter users, the City of Mississauga's existing Traffic By-Law does not allow the use of private e-scooters on sidewalks and City-owned land not designated as public roadways (e.g. Transit terminals). The same by-laws would apply to a public e-scooter share system.

Potential impacts on vulnerable road users were considered when evaluating the vehicle type, governance model, and system model. Those potential impacts were further explored when setting the requirements for a successful service provider(s) and developing a Monitoring and Evaluation Framework to ensure safety and accessibility features and innovations are prioritized and any concerns are continually addressed throughout the program.

### **City Staff's Hybrid Model for E-Scooter Problem Especially Harmful for Vulnerable People with Disabilities and Others**

For the hybrid system model, some challenges relating to improper parking may persist, leading to increased enforcement requirements compared to a dock-based system. Staff have set out a number of requirements for the successful service provider(s) to proactively address these concerns, including a lock-to requirement for devices, and will work closely with the service provider(s) to monitor the system and make adjustments to the program should any concerns persist.

The City of Ottawa is in its fourth year of running a shared e-scooter system and has adjusted its approach to addressing safety and accessibility concerns each year. When setting requirements for the service provider(s) and developing the program's Monitoring and Evaluation Framework, City of Mississauga staff have connected with peer cities in Ontario to learn best practices, understand the varied approaches to permitting e-scooters in their municipalities, and ensure Mississauga's Shared Micro-Mobility System has supporting infrastructure and policies in place to ensure success.

### **Failure to Include Mississauga's Mandatory Duty Not to Create New Disability Barriers In Program Goals**

E-scooters themselves are not barriers to accessibility, but their improper use can create barriers. This is true of almost anything in a City that is not a fixed, immovable object. If trees are not properly maintained, their branches can encroach on the clear path of travel, if a driver does not follow the rules of the road they can cause injury and damage, if a private business puts out an A-frame to advertise specials, they can block the clear path of travel. All City infrastructure, privately or publicly operated vehicles, and businesses require some level of maintenance, enforcement, or oversight to ensure that they remain accessible.

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The City's by-laws governing the use of e-scooters, any requirements for service provider(s), and the ongoing monitoring and evaluation of a shared system will ensure micro-mobility devices do not become barriers to accessibility but improve access for all.

### **No Details on Vital Issue of Enforcement**

The purpose of the 2022 corporate report was to identify the preferred vehicle type, system model, and governance model for the City of Mississauga. Enforcement was to be addressed through the procurement process.

Staff have set out requirements for the service provider(s) to have the technology and enforcement needed to address safety and accessibility concerns. Penalties for non-compliance have also been developed.

The shared micro-mobility program requires a continued relationship between staff and the service provider(s) to ensure success. Once the competitive procurement process is complete and the preferred service provider(s) have been chosen, City staff will monitor the roll out closely and meet with the micro-mobility provider(s) regularly to give real-time feedback and ensure corrective action is promptly carried out when needed.

### **Staff Misses the Point on Equity and Accessibility**

When the IBI report speaks to accessibility, it refers not only to physical disability related concerns, but also to the concerns of those who are unable to access resources and opportunities necessary for them to succeed.

An equitable transportation system is a network that supports environmental sustainability, health and well-being, and access to resources and opportunities. Each individual interacts with the City's transportation system differently and has a unique set of criteria required to meet their everyday needs. The more transportation options that are available, the more likely it is that everyone's mobility needs can be met.

An equitable transportation system should also meet the needs of a diverse population. There are many different types of disabilities and many people whose disabilities prevent them from driving, who are unable to walk long distances, who cannot ride a bike, and who may not be able to afford transit or rideshare. E-scooters are another mobility option that can meet the needs of those not yet served by the City's existing transportation system.

### **Not Enough to Promise People with Disabilities More Consultations**

Given the scope and scale of the concerns raised by the accessibility community, staff intend to continue to meet regularly with the Accessibility Advisory Committee and external accessibility advocacy organizations, to proactively seek input from experts and community members to help monitor and evaluate the shared micro-mobility program. An emphasis on ensuring accessibility in the system and preventing or mitigating the introduction of barriers to the built environment, have been major strategic pillar when developing the shared micro-mobility program in Mississauga.

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This is not just a promise for more consultation; City staff will collaborate with experts and community members to ensure the City's transportation system remains accessible. Staff will work closely with the service provider(s) to continually adjust the program and improve safety and accessibility for all users should any concerns arise.

The City of Ottawa has taken this approach and has updated their system requirements each year to address concerns, meeting regularly with the service provider(s) to ensure the requirements set out in their contract are being met. The City of Ottawa's Accessibility Advisory Committee informed council at their meeting in February 2023 that they no longer have concerns with sidewalk riding for the shared micro-mobility program.

When setting requirements for the service provider(s) and developing the program's Monitoring and Evaluation Framework, City of Mississauga staff have connected with peer cities in Ontario to learn best practices, understand the varied approaches to permitting e-scooters in their municipalities, and ensure Mississauga's Shared Micro-Mobility Program has supporting infrastructure and policies in place to ensure success.

### **City of Mississauga's Accessibility Advisory Committee**

Throughout the Micro-mobility Program Development project, Staff have engaged with the City of Mississauga's Accessibility Advisory Committee (AAC) to answer questions, listen to concerns, and ensure the proposed program does not compromise the safety and accessibility of our most vulnerable residents.

At their meeting on March 21, 2022, after considering the report presented by Staff and IBI detailing the preferred vehicle type, governance model, and system model for the City of Mississauga, the Accessibility Advisory Committee clarified their position with regard to the micro-mobility project and approved the following recommendations ([GC-0214-2022](#)):

1. That the docking and dockless stations for Micromobility devices be located on the roadway, and/or utilize available parking spaces to ensure accessible access and removed from the sidewalks.
2. That the implementation of the City of Mississauga's Micromobility Project continue further consultation with the Accessibility Advisory Committee and/or its subcommittees to ensure the project does not reduce accessibility or create barriers for people with disabilities and/or older adults.
3. That e-scooters, as defined in the Traffic By-law 0555-2020 as amended, be banned from operating on sidewalks.
4. That licencing be required and that infractions be reported through Road Watch to the Peel Regional Police.

Staff have included the following requirements in the Request for Proposals to ensure the recommendations listed above are met by the successful service provider(s).

1. The service provider(s) will be required to clearly define parking zones outside of the clear path of travel using technology, paint, and/or signage. Existing bicycle parking can also be used to lock devices. A lock will be required for each device to ensure it is secured out of the clear path of travel before a user's trip can be ended. The parking stations, devices, and technology will be evaluated during the demonstrations portion of

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the procurement process to ensure they meet accessibility requirements and do not create additional accessibility barriers. Members of the City's Accessibility Advisory Committee have been invited to take part in the demonstrations and help evaluate the station design, vehicles, and technology.

2. City staff will continue to consult with the City of Mississauga's Accessibility Advisory Committee. The Monitoring and Evaluation Framework for the Shared Micro-mobility Program sets out clear goals and objectives to ensure a safe and accessible system. Staff will be collecting data and monitoring indicators of success. Reports will be presented to the Accessibility Advisory Committee to assess whether the system is meeting the program goals and objectives. Opportunity for more frequent consultation will be available as needed if concerns arise between updates.
3. In February 2021, Council adopted changes to the City's Traffic, Transit, and Parks By-Laws to regulate the use of personally owned e-scooters in Mississauga. The Traffic By-law (0555-2020) does not permitted the use of e-scooters on sidewalks. This ban will also apply to e-scooters that are part of a Shared Micro-mobility Program. The request for proposals will evaluate what technology and programs the service providers are able to deploy to ensure devices cannot be ridden on the sidewalk.
4. A license to ride e-bikes and e-scooters is not required under the Ontario Highway Traffic Act; however, the service provider will be required to deploy technology and programs to ensure the system users are aware of the rules of the road, proper trail etiquette, and how to safely operate the device. A few examples of this requirement include having a beginner mode that limits speeds and acceleration so riders can get used to operating the device under safer conditions, education videos that will be shown before the rider can unlock a device, and ongoing education and in-app reminders on safety, rules, and etiquette.

In addition to the City customer service channels and Peel Regional Police's Road Watch, the request for proposals requires that the successful service provider(s) offer a number of avenues for reporting infractions including: the system's app, a website, a phone number, and email. Staff will require that the service provider(s) ensure these reporting channels are easy to located and use.