

**DISTRICT OF WEST VANCOUVER**  
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

4.

## COUNCIL REPORT

Date:	June 1, 2024
From:	Michelle Lam, North Shore Mobility Options Coordinator
Subject:	Provincial Electric Kick Scooter (E-scooter) Pilot Project
File:	09.1700

### RECOMMENDATION

THAT the District of West Vancouver (District) consents to the Electric Kick Scooter (E-scooter) Pilot Project taking place within the District, ending April 2028.

#### 1.0 Purpose

The purpose of this report is to seek direction from Council on participating in the Provincial Electric Kick Scooter (E-scooter) Pilot Project to allow the personal use of electric kick-scooters in the District of West Vancouver for a four-year period ending on April 5, 2028.

#### 2.0 Executive Summary

The BC Ministry of Transportation and Infrastructure (BC MoTI) has extended their Electric Kick Scooter Pilot Project for another four years, from April 2024 to April 2028. This pilot will permit the use of personal electric kick scooters (e-scooters) owned or leased by individuals or rented out by traditional brick-and-mortar businesses within the District, along with the neighboring City and District of North Vancouver.

#### 3.0 Legislation/Bylaw/Policy

Effective April 5, 2024, the Province of British Columbia approved Order in Council No. 640, amending the *Motor Vehicle Act* (MVA), repealing the Electric Kick Scooter Pilot Project Regulation, B.C. Reg. 90/2021, and creating the Electric Kick Scooter Pilot Project Regulation (Appendix A).

#### 4.0 Council Strategic Objective(s)/Official Community Plan

##### Official Community Plan (2018)

- Collaborate with TransLink, the Province government, First Nations, neighbouring municipalities, schools, Vancouver Coastal Health, and community groups (including but not limited to seniors and people with disabilities) to improve transportation safety and

network to facilitate the movement of people and goods in the District and the North Shore (Policy 2.4.20).

- Prioritize sustainable transportation options (e.g., walk, bike, and transit) and transportation demand management strategies (Policy 2.4.21).

### **Transportation goals outlined in the OCP**

- Encouraging and prioritizing walking and cycling through expanding key new connections, improving safety and integrating these systems with transit.
- Supporting and prioritizing transit mobility and regional connections to improve infrastructure and services, and advance connectivity for all travel modes.
- Promoting sustainability and transportation innovation.

### **Council's Strategic Objectives (2024-2025)**

4.0 Enhance the mobility within the community.

4.1 Collaborate with partners and provincial and federal agencies to manage traffic congestion and introduce new transit services.

## **5.0 Financial Implications**

No financial implications in participating in Provincial E-scooter Pilot Project.

## **6.0 Background**

### **6.1 Previous Decisions**

Council, at its July 20, 2020, regular meeting, passed the following resolution:

THAT the joint North Shore proposal for a Motor Vehicle Act Micromobility Pilot Project, "the pilot", in partnership with the Ministry of Transportation and Infrastructure be endorsed subject to the following conditions:

1. The pilot proposal is approved by the Ministry of Transportation and Infrastructure and Provincial Cabinet;
2. The Provincial Government enacts regulation permitting the pilot pursuant to Part 13, Section 304 of the Motor Vehicle Act;
3. The pilot last for no more than three years from the date of its approval by Cabinet;
4. The pilot is limited to personal electric scooter devices;
5. A network where personal electric scooter devices would be permitted for use as part of the pilot is established;

6. A communications strategy to inform the public of the pilot be developed, implemented, and reported on to Council for consideration prior to the pilot being initiated; and,
7. Amendments to bylaw regulations to manage personal electric scooter devices during the pilot are brought to Council for consideration and approval prior to the pilot being initiated.

## 6.2 History

In 2018, the District along with the District of North Vancouver (DNV) and the City of North Vancouver (CNV) began coordinating efforts and collaborating to develop strategies to support and promote electric micromobility on the North Shore.

In October 2019, the BC Legislature introduced amendments to allow municipalities to conduct pilot projects for use of devices not currently allowed or regulated under the MVA, such as e-scooters. The three north shore Municipalities submitted a coordinated Expression of Intent for a micromobility pilot project in January 2020 followed by a detailed proposal in March 2020. The proposal focused on two approaches to introducing new forms of micromobility on the North Shore:

- 1) Enabling the use of personally-owned devices like e-scooters on municipal roadways; and
- 2) Enabling third-party operators to deploy fleets of these devices intended for shared use.

In 2021, the BC MoTI launched a pilot project to enable and learn about e-scooter use in participating pilot communities, along with guidelines for users and rules of the road. This first pilot project, which required effort from Municipalities to update bylaws and monitor its success, recently ended.

Due to resourcing limitations, the District was unable to participate in the e-scooter pilot project in 2021. This decision was influenced by the need to prioritize existing responsibilities and ensure adequate resources were allocated to essential municipal functions during Covid-19 period.

## 7.0 Analysis

### 7.1 Discussion

A new pilot project commenced on April 5, 2024, and will end on April 5, 2028. This project will continue to test and evaluate the use of electric kick scooters under a new regulation and legislative framework. The pilot is a province-wide project, where for the purposes of the pilot project, an e-scooter is deemed to be a designated mobility device. The Province has encouraged communities to join the pilot project for the four-year period from April 2024 to April 2028, with participating municipalities to inform potential future changes to the MVA.

At this time, CNV and DNV are pilot participants along with 18 other BC communities. The District's participation in the pilot program would further

expand the e-scooter connection on the North Shore and provide an alternative mode of active transportation. This participation will assist in assessing the safety of these devices and help develop a potential permanent regulatory framework. Note that e-scooter use is not legally permitted within a community unless it is participating in the pilot project.

To participate in the Electric Kick Scooter Pilot Project, a resolution must fulfil the legislative requirements under *Motor Vehicle Act* s. 307 (as amended by the *Motor Vehicle Amendment Act, 2023*).

The pilot project regulation and a Pilot Frequently Asked Questions document provided by MOTI are attached as Appendix A and Appendix B.

E-scooter Permitted Area:

Under the provincial pilot, e-scooters are legal to use on multi-use pathways, designated cycling lanes, and roads with a speed limit of 50 km/h or less, map also included as Appendix C.

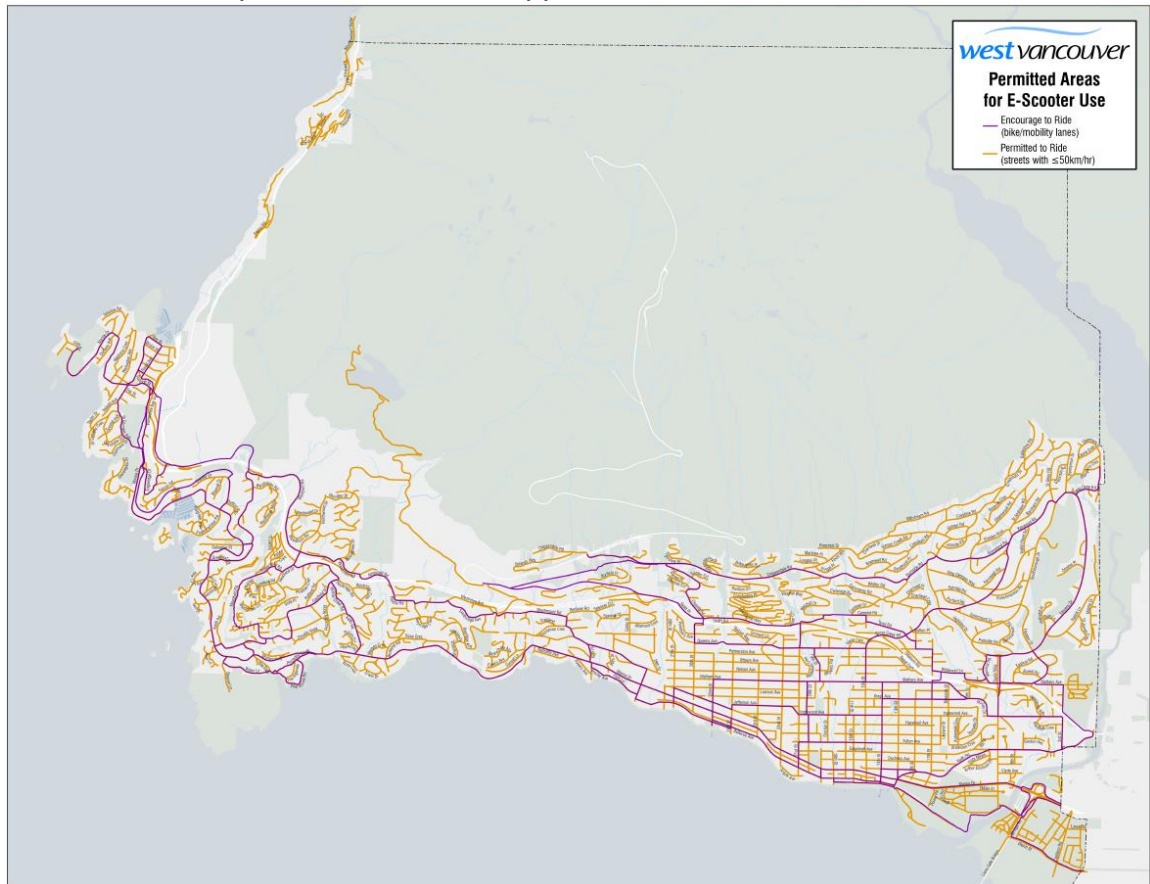


Figure 1 Map of E-scooter Permitted Area

### E-scooter Regulations

Riders must obey provincial rules when operating an electric kick scooter. In general, e-scooters rider will need to follow cyclist rules including the following.

- rider must be 16 or older
- safety helmet is required
- no riding on sidewalk
- use bell or horn when approaching or passing
- no carrying any passengers on e-scooter
- ride in single file
- use hand signals before turns
- make a 'hook turn' (or dismount the device and cross as a pedestrian) to turn left at intersections
- do not use while impaired or distracted

### E-scooter Criteria

E-scooter devices have certain requirements.

- maximum speed is now 25 km/hr instead of 24 km/hr
- braking performance
  - the device must have a braking system that can stop the device completely within 7.5 meters when traveling at 25 km/h on a smooth, level, and clean surface
- flashing red light permitted
  - the device is permitted to be equipped with a flashing red light

### Annual Reporting

The 2024-2028 pilot has simplified processes for participation and reporting. The Province will obtain data from parties including the BC Injury Research and Prevention Unit, and qualitative data from participating municipalities. The District is required to report annually to BC MoTI, outlining the pilot's impacts on the transportation network and the community, as well as insights into e-scooter utilization.

Additionally, the District's participation in this BC MoTI-led pilot enables information sharing and learning between the District, the Ministry, and other participating governments.

Staff will monitor the pilot project and share the pilot's successes and learnings with Council to help to inform decision-making in the realm of micromobility.

## 7.2 **Climate Change & Sustainability**

E-scooters are one of the micromobility devices that offer a convenient and flexible way to travel within the District. According to the 2023 North Shore Transportation Survey, 40% of trips are short enough to be undertaken by bike (less than 4.6 km). Enabling e-scooter use can convert these vehicle trips to a more sustainable mode of transportation. Reduced auto-dependency and moving towards a more diverse mode share can help mitigate the community's environmental impact.

## 7.3 **Public Engagement and Outreach**

Staff will work with Communications to include the e-scooter-rider regulations and other pilot information on the municipal website.

## 8.0 **Options**

### 8.1 **Recommended Option**

THAT the District of West Vancouver (District) consents to the Electric Kick Scooter (E-scooter) Pilot Project taking place within the District.

### 8.2 **Considered Options**

Do not participate in the provincial Electric Kick Scooter (E-scooter) Pilot Project at this time.

## 9.0 **Conclusion**

Participation in the provincial Electric Kick Scooter (E-scooter) Pilot project would continue to support the District's overall active transportation goals.

Author:



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Michelle Lam, North Shore Mobility Options Coordinator

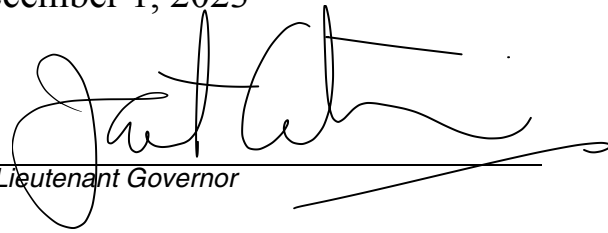
Appendices:

- Appendix A E-scooter Pilot Project Regulations
- Appendix B Pilot Frequently Asked Questions
- Appendix C Map of E-scooter Permitted Area

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 640

, Approved and Ordered December 1, 2023




Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) sections 12 (a) to (i) and (k) to (m) and 13 to 17 of the *Motor Vehicle Amendment Act, 2023*, S.B.C. 2023, c. 17, are brought into force,
- (b) effective April 5, 2024, the following provisions of the *Motor Vehicle Amendment Act, 2023*, S.B.C. 2023, c. 17, are brought into force:
  - (i) sections 1, 2, 4, 6 to 10 (e), 11, 12 (j) and (n) and 23;
  - (ii) section 24, except as it enacts section 182.1 of the *Motor Vehicle Act*;
  - (iii) sections 25 to 29;
  - (iv) section 32, except as it enacts section 210 (3.2) (b) (iii) of the *Motor Vehicle Act*;
  - (v) sections 33, 34, 36 and 38 to 42,
- (c) effective April 5, 2024, the Electric Kick Scooter Pilot Project Regulation, B.C. Reg. 90/2021, is repealed, and
- (d) effective April 5, 2024, the attached Electric Kick Scooter Pilot Project Regulation is made.



Minister of Transportation and Infrastructure



Presiding Member of the Executive Council

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: *Motor Vehicle Amendment Act, 2023*, S.B.C. 2023, c. 17, s. 43; *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, s. 210

Other: OIC 184/2021

# ELECTRIC KICK SCOOTER PILOT PROJECT REGULATION

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**PART 1 – INTERPRETATION,  
ESTABLISHMENT OF PILOT PROJECT AND GENERAL PROHIBITIONS**

**Definitions**

**1** In this regulation:

“**Act**” means the *Motor Vehicle Act*;

“**cycle lane**” means a portion of a highway designated for use of persons operating cycles, either exclusively or alongside one or more of the following:

- (a) persons operating designated personal mobility devices;
- (b) persons on skateboards, kick scooters, roller skates, in-line roller skates or other devices that are only capable of being propelled by human power;

“**electric kick scooter**” means a device that meets all of the criteria set out in section 3 [*electric kick scooter criteria*];

“**participating community**” means the following, as applicable:

- (a) the Nisga’a Government or Nisga’a Lands, but only if the pilot project is authorized, under section 306 (1) [*pilot projects within Nisga’a Lands*] of the Act, to take place on highways within Nisga’a Lands;
- (b) a treaty first nation or the treaty lands of the treaty first nation, but only if the pilot project is authorized, under section 306 (2) [*pilot projects within treaty lands*] of the Act, to take place on highways within the treaty lands;
- (c) a municipality, but only if the pilot project is authorized, under section 307 [*opt-in pilot projects in municipalities*] of the Act, to take place within the municipality;

“**pilot project**” means the pilot project established under section 4 (1) [*Electric Kick Scooter Pilot Project established*];

“**pilot project highway**” has the meaning set out in section 5 [*meaning of “pilot project highway”*];

“**section 19.07 highway**” means a highway named in Schedule 1 of section 19.07 [*schedule 1 highways restrictions*] of the Motor Vehicle Act Regulations;

**“transportation minister”** means the minister responsible for the administration of the *Transportation Act*.

**Definitions in section 119 of Act apply**

- 2 (1) If a word or expression used in this regulation is defined in section 119 [*definitions for Part 3*] of the Act, the word or expression has the same meaning as in that section.
- (2) For certainty, in this regulation, **“traffic control device”**, in relation to a participating community or the transportation minister, includes a traffic control device placed or erected by a person authorized by the participating community or transportation minister.

**Electric kick scooter criteria**

- 3 (1) An electric kick scooter is a device that
  - (a) is designed to be
    - (i) solely self-propelled, or
    - (ii) self-propelled with the capability to be propelled by human power,
  - (b) has up to 4 wheels, each of which is not more than 430 mm in diameter, placed along a longitudinal axis, with one to 2 wheels at the front of the device and one to 2 wheels at the rear,
  - (c) has a platform for standing along the longitudinal axis between the front wheels and the back wheels of the device and is designed to be operated while the operator is standing on the platform,
  - (d) has a steering handlebar that acts directly on the steerable wheels at the front of the device,
  - (e) is designed to transport one person,
  - (f) is not a motor assisted cycle or another device that has pedals, and
  - (g) does not have
    - (i) a seat, or a surface or structure that could be used as a seat, or
    - (ii) a structure that encloses the electric kick scooter.
- (2) In addition to the criteria set out in subsection (1), the device must have one or more electric motors that
  - (a) are powered solely by one or more electric batteries,
  - (b) are not capable of propelling the device at a speed exceeding 25 km/h when the device is being operated on a clean, paved and level surface, and
  - (c) have a continuous power output rating that, in total, does not exceed 500 W.

**Electric Kick Scooter Pilot Project established**

- 4 (1) The Electric Kick Scooter Pilot Project is established for the purposes of researching, testing and evaluating the regulation of electric kick scooters.
- (2) The pilot project is a province-wide pilot project.
- (3) For the purposes of the pilot project, an electric kick scooter is deemed to be a designated personal mobility device.

### Meaning of “pilot project highway”

- 5 A pilot project highway is any highway or portion of a highway located within the Province, other than the following:
- (a) a highway or portion of a highway located within Nisga’a Lands, unless the Nisga’a Government is a participating community;
  - (b) a highway or portion of a highway located within the treaty lands of a treaty first nation, unless the treaty first nation is a participating community;
  - (c) a highway or portion of a highway located within a municipality, unless the municipality is a participating community;
  - (d) a structure, portion of a structure or approach to a structure in relation to which any of the following provisions of the Provincial Public Undertakings Regulation under the *Transportation Act* apply:
    - (i) section 3 [*farm vehicles, bicycles and pedestrians*];
    - (ii) section 4 [*slow vehicles and bicycles*];
    - (iii) section 9 [*prohibited vehicles, bicycles and tire chains*];
  - (e) a highway or portion of a highway on which the operation of electric kick scooters is prohibited by
    - (i) a traffic control device, law or bylaw referred to in section 8 [*prohibited highways located within participating communities*], or
    - (ii) a traffic control device referred to in section 14 [*prohibited highways located outside participating communities*].

### Operation prohibited except on pilot project highways

- 6 A person must not operate an electric kick scooter on a highway except on a pilot project highway in accordance with this regulation.

### Operation prohibited if under 16 years of age

- 7 (1) A person under 16 years of age must not operate an electric kick scooter on a highway.
- (2) A parent or guardian of a person under 16 years of age must not authorize or knowingly permit the person to operate an electric kick scooter on a highway.

## PART 2 – OPERATING ELECTRIC KICK SCOOTERS IN PARTICIPATING COMMUNITIES

### Prohibited highways located within participating communities

- 8 Despite any other provision of this Part, the operation of electric kick scooters on a highway or portion of a highway located within a participating community may be prohibited by
- (a) a traffic control device of the transportation minister, or
  - (b) a traffic control device, law or bylaw of the participating community.

**Section 19.07 highways  
located within participating communities**

- 9** If a pilot project highway located within a participating community is a section 19.07 highway, a person must not operate an electric kick scooter on the highway unless the transportation minister causes signs to be erected permitting the use of electric kick scooters on either of the following:
- (a) a footpath constructed adjacent to the travelled portion of the highway;
  - (b) the shoulder of the travelled portion of the highway.

**Highways that have  
speed limit over 50 km/h**

- 10** If a pilot project highway located within a participating community has a speed limit of more than 50 km/h, a person may operate an electric kick scooter on the highway as follows:
- (a) if the highway has a cycle lane, the person must operate the electric kick scooter in the cycle lane;
  - (b) if the highway does not have a cycle lane, or if the operation of electric kick scooters is prohibited in the cycle lane, the person may operate the electric kick scooter on another portion of the highway, but only if a traffic control device of the transportation minister, or a traffic control device, law or bylaw of the participating community, permits or requires electric kick scooters to be operated on the other portion of the highway.

**Highways that have  
speed limit not over 50 km/h**

- 11** If a pilot project highway located within a participating community has a speed limit of not more than 50 km/h, a person may operate an electric kick scooter on the highway as follows:
- (a) if the highway has a cycle lane, the person must operate the electric kick scooter in the cycle lane;
  - (b) if the highway does not have a cycle lane, or if the operation of electric kick scooters is prohibited in the cycle lane, the person may operate the electric kick scooter as follows:
    - (i) on another portion of the highway, if a traffic control device of the transportation minister, or a traffic control device, law or bylaw of the participating community, permits or requires electric kick scooters to be operated on the other portion of the highway;
    - (ii) as near as practicable to the right side of the highway, if a traffic control device of the transportation minister, or a traffic control device, law or bylaw of the participating community, does not require electric kick scooters to be operated on another portion of the highway.

**Sidewalks located within participating communities**

- 12** A person must not operate an electric kick scooter on the sidewalk of a pilot project highway located within a participating community unless

- (a) a traffic control device of the participating community permits the operation of cycles or electric kick scooters on the sidewalk, or
- (b) a traffic control device of the transportation minister permits the operation of electric kick scooters on the sidewalk.

**Crosswalks located within participating communities**

- 13** A person must not operate an electric kick scooter on the crosswalk of a pilot project highway located within a participating community unless
- (a) a traffic control device of the participating community permits the operation of cycles or electric kick scooters on the crosswalk, or
  - (b) a traffic control device of the transportation minister permits the operation of electric kick scooters on the crosswalk.

**PART 3 – OPERATING ELECTRIC KICK SCOOTERS  
OUTSIDE PARTICIPATING COMMUNITIES**

**Prohibited highways located outside participating communities**

- 14** Despite any other provision of this Part, a traffic control device of the transportation minister may prohibit the operation of electric kick scooters on a highway or portion of a highway located outside the following areas:
- (a) Nisga’a Lands;
  - (b) the treaty lands of a treaty first nation;
  - (c) a municipality.

**Section 19.07 highways located outside participating communities**

- 15** If a pilot project highway located outside a participating community is a section 19.07 highway, a person must not operate an electric kick scooter on the highway unless the transportation minister causes signs to be erected permitting the use of electric kick scooters on either of the following:
- (a) a footpath constructed adjacent to the travelled portion of the highway;
  - (b) the shoulder of the travelled portion of the highway.

**Other highways located outside participating communities**

- 16** A person may operate an electric kick scooter on a pilot project highway located outside a participating community as follows:
- (a) if the highway has a cycle lane, the person must operate the electric kick scooter in the cycle lane;
  - (b) if the highway does not have a cycle lane, or if the operation of electric kick scooters is prohibited in the cycle lane, the person may operate the electric kick scooter on another portion of the highway, but only if a traffic control device of the transportation minister permits or requires electric kick scooters to be operated on the other portion of the highway.

**Sidewalks located  
outside participating communities**

- 17 A person must not operate an electric kick scooter on the sidewalk of a pilot project highway located outside a participating community unless a traffic control device of the transportation minister permits the operation of electric kick scooters on the sidewalk.

**Crosswalks located  
outside participating communities**

- 18 A person must not operate an electric kick scooter on the crosswalk of a pilot project highway located outside a participating community unless a traffic control device of the transportation minister permits the operation of electric kick scooters on the crosswalk.

**PART 4 – DUTIES OF OPERATOR**

**Duty to wear safety helmet**

- 19 Unless exempted by a regulation made for the purposes of section 184 (6) (b) [*bicycle safety helmets*] of the Act, a person who operates an electric kick scooter on a pilot project highway must properly wear a bicycle safety helmet that meets the requirements under section 184 (1) (a) or (b) of the Act.

**Operation near pedestrians**

- 20 A person operating an electric kick scooter on a pilot project highway must sound the bell or horn that the electric kick scooter is required to be equipped with under section 35 [*bell or horn required*] if
- (a) it is reasonably necessary to do so in order to notify a pedestrian that the electric kick scooter is approaching the pedestrian, or
  - (b) the person intends to pass a pedestrian.

**Operation near other devices**

- 21 (1) A person operating an electric kick scooter on a pilot project highway must sound the bell or horn that the electric kick scooter is required to be equipped with under section 35 [*bell or horn required*] if
- (a) it is reasonably necessary to do so in order to notify the operator of a cycle or other device that the electric kick scooter is approaching the operator of the cycle or other device, or
  - (b) the person intends to pass a cycle or other device.
- (2) A person operating an electric kick scooter on the roadway portion of a pilot project highway must not operate the electric kick scooter abreast of another person who is operating a cycle, electric kick scooter or other device.

**Duty to signal right turn**

- 22 (1) In this section and section 23 [*duty to signal left turn*], “**turn signal lights**” means red, yellow or white turn signal lights that are visible from both behind and in front of an electric kick scooter.

- (2) If a person operating an electric kick scooter on a pilot project highway intends to turn right and the electric kick scooter is not equipped with turn signal lights, the person must signify the right turn by doing either of the following:
  - (a) extending the person's left hand and arm out and upward from the electric kick scooter so that the upper and lower parts of the arm are at right angles;
  - (b) extending the person's right hand and arm horizontally from the electric kick scooter.
- (3) If a person operating an electric kick scooter on a pilot project highway intends to turn right and the electric kick scooter is equipped with turn signal lights, the person must signify the right turn by doing either of the following:
  - (a) activating the right turn signal light;
  - (b) extending the person's hand and arm in the manner described in subsection (2) (a) or (b).

**Duty to signal left turn**

- 23**
- (1) If a person operating an electric kick scooter on a pilot project highway intends to turn left and the electric kick scooter is not equipped with turn signal lights, the person must signify the left turn by extending the person's left hand and arm horizontally from the electric kick scooter.
  - (2) If a person operating an electric kick scooter on a pilot project highway intends to turn left and the electric kick scooter is equipped with turn signal lights, the person must signify the left turn by doing either of the following:
    - (a) activating the left turn signal light;
    - (b) extending the person's left hand and arm in the manner described in subsection (1).

**Duty to make hook turn to turn left at intersection**

- 24**
- (1) Subject to subsection (2), if a person operating an electric kick scooter on a pilot project highway intends to turn left at an intersection, the person must cause the electric kick scooter to make a hook turn as follows:
    - (a) first, approach and enter the intersection in the portion of the highway that is as near as practicable to the right side of the highway;
    - (b) second, proceed through the intersection, keeping as near as practicable to the right side of the intersection;
    - (c) third, after reaching the other side of the intersection, stop and become positioned in the intended direction of travel;
    - (d) fourth, enter and proceed through the intersection as described in paragraphs (a) and (b).
  - (2) If it is not practicable or safe for the person referred to in subsection (1) to make a hook turn at the intersection, the person must dismount the electric kick scooter and cross the intersection in accordance with provisions under the Act applicable to pedestrians.

**Duty to signal stop or decrease in speed**

- 25** (1) If a person operating an electric kick scooter on a pilot project highway intends to stop or decrease the speed of the electric kick scooter, the person must signify the stop or decrease in speed by extending the person's left hand and arm out and downward from the electric kick scooter so that the upper and lower parts of the arm are at right angles.
- (2) Subsection (1) does not apply if
- (a) the electric kick scooter is equipped with a visible red light at the rear, and
  - (b) the visible red light is activated when the person applies the brakes.

**Passengers and towing prohibited**

- 26** A person operating an electric kick scooter on a pilot project highway must not do any of the following:
- (a) transport another person on the electric kick scooter;
  - (b) use the electric kick scooter
    - (i) to tow another person, or
    - (ii) to tow a vehicle, cycle or other device;
  - (c) use the electric kick scooter to be towed by a cycle or other device.

**Operating without due care and attention prohibited**

- 27** A person must not operate an electric kick scooter on a pilot project highway
- (a) without due care and attention, or
  - (b) without reasonable consideration for other persons using the highway.

**Operator must be in standing position**

- 28** A person operating an electric kick scooter on a pilot project highway
- (a) must be in a standing position on the platform of the electric kick scooter, and
  - (b) must keep at least one hand on the steering handlebar of the electric kick scooter.

**Leaving electric kick scooter in traffic prohibited**

- 29** A person operating an electric kick scooter must not leave the electric kick scooter attended or unattended in a location intended for the movement of traffic.

**Duties under Part 3 of Act apply**

- 30** Except as otherwise provided in this regulation, a person operating an electric kick scooter on a pilot project highway has the same rights and duties under Part 3 of the Act that apply to the driver of a vehicle.

## **PART 5 – ELECTRIC KICK SCOOTER REQUIREMENTS**

### **Operation prohibited unless electric kick scooter meets requirements**

- 31** A person must not operate an electric kick scooter on a pilot project highway unless the electric kick scooter meets all of the requirements set out in this Part.

### **Weight restriction**

- 32** The weight of the electric kick scooter, including its motors and batteries, must not be more than 45 kg when the electric kick scooter is unladen.

### **Motors and batteries**

- 33** (1) The motors of the electric kick scooter must cease to propel the electric kick scooter forward when the operator releases the accelerator or applies the brakes.
- (2) The batteries and motors of the electric kick scooter must be securely fastened to the electric kick scooter in order to prevent the batteries and motors from moving, relative to the electric kick scooter, when the electric kick scooter is operating.

### **Brake performance**

- 34** The electric kick scooter must be equipped with a braking system that is capable, when the electric kick scooter is being operated at a speed of 25 km/h on a clean, paved and level surface, of bringing the electric kick scooter to a complete stop within 7.5 m of the point at which the brakes are applied.

### **Bell or horn required**

- 35** The electric kick scooter must be equipped with a bell or horn.

### **Lights required at night**

- 36** (1) When the electric kick scooter is being operated between 1/2 hour after sunset and 1/2 hour before sunrise, the following equipment is required:
- (a) at the front of the electric kick scooter, a lighted lamp displaying a white or amber light that, under normal atmospheric conditions, is visible from at least 150 m in the direction the electric kick scooter is pointed;
  - (b) at the back of the electric kick scooter, a lighted lamp displaying a visible red light.
- (2) The lighted lamps required under subsection (1) may be
- (a) attached to the electric kick scooter, or
  - (b) carried or worn by the operator.

### **Electrical terminals**

- 37** All electrical terminals on the electric kick scooter must be completely insulated or covered.

### **Flashing red light permitted**

- 38** Despite any other provision of the Act or regulations, an electric kick scooter may be equipped with a flashing red light.

## PART 6 – ACCIDENTS

### Duties of operator if accident occurs

- 39** If a person is injured, or property is damaged, as a direct or indirect result of an accident that occurs due to the presence or operation of an electric kick scooter on a highway, the operator must do the following:
- (a) remain at or immediately return to the scene of the accident;
  - (b) render all possible assistance;
  - (c) give to a person who sustains loss or injury
    - (i) the operator's name and address, and
    - (ii) the name and address of the owner of the electric kick scooter.

### Duties of police officer

- 40** (1) This section applies in relation to an accident if
- (a) the accident occurs due to the presence or operation of an electric kick scooter on a highway, and
  - (b) the accident causes, directly or indirectly,
    - (i) death or injury to a person, or
    - (ii) damage to property causing aggregate damage apparently exceeding an amount prescribed for the purposes of section 249 (1) (b) [*accident reports by police officer*] of the Act.
- (2) A police officer who attends an accident to which this section applies must do the following:
- (a) complete a written report of the accident in the form established by the Insurance Corporation of British Columbia under section 249 (1) of the Act;
  - (b) promptly forward the report to the Insurance Corporation of British Columbia.

### Power to obtain information

- 41** A person involved in an accident referred to in section 40, or that person's authorized representative, is entitled to obtain the following on request:
- (a) the names of persons involved in the accident;
  - (b) the name of any witness.

## PART 7 – GENERAL PROVISIONS

### Reports to minister

- 42** (1) The minister may require any of the following to provide records and information, including personal information, relating to the operation of electric kick scooters:
- (a) a participating community;
  - (b) a person who rents electric kick scooters to other persons;
  - (c) the BC Injury Research and Prevention Unit.

- (2) Records and information provided under subsection (1) must be in the form and include the content required by the minister.
- (3) For the purposes of the pilot project, the minister and the Insurance Corporation of British Columbia may collect, use and disclose to each other records and information, including personal information.

#### **Inconsistent bylaws**

- 43** A bylaw of a municipality that is a participating community is inoperative and of no force and effect to the extent that the bylaw conflicts with or is inconsistent with this regulation.

#### **Offences**

- 44** A person who contravenes any of the following provisions commits an offence:
- (a) section 6 [*operation prohibited except on pilot project highways*];
  - (b) section 7 (1) or (2) [*operation prohibited if under 16 years of age*];
  - (c) section 9 [*section 19.07 highways located within participating communities*];
  - (d) section 10 (a) or (b) [*highways that have speed limit over 50 km/h*];
  - (e) section 11 (a) or (b) [*highways that have speed limit not over 50 km/h*];
  - (f) section 12 [*sidewalks located within participating communities*];
  - (g) section 13 [*crosswalks located within participating communities*];
  - (h) section 15 [*section 19.07 highways located outside participating communities*];
  - (i) section 16 (a) or (b) [*other highways located outside participating communities*];
  - (j) section 17 [*sidewalks located outside participating communities*];
  - (k) section 18 [*crosswalks located outside participating communities*];
  - (l) any of the provisions of Part 4 [*Duties of Operator*];
  - (m) section 31 [*operation prohibited unless electric kick scooter meets requirements*];
  - (n) section 39 [*duties of operator if accident occurs*].

#### **Repeal of regulation**

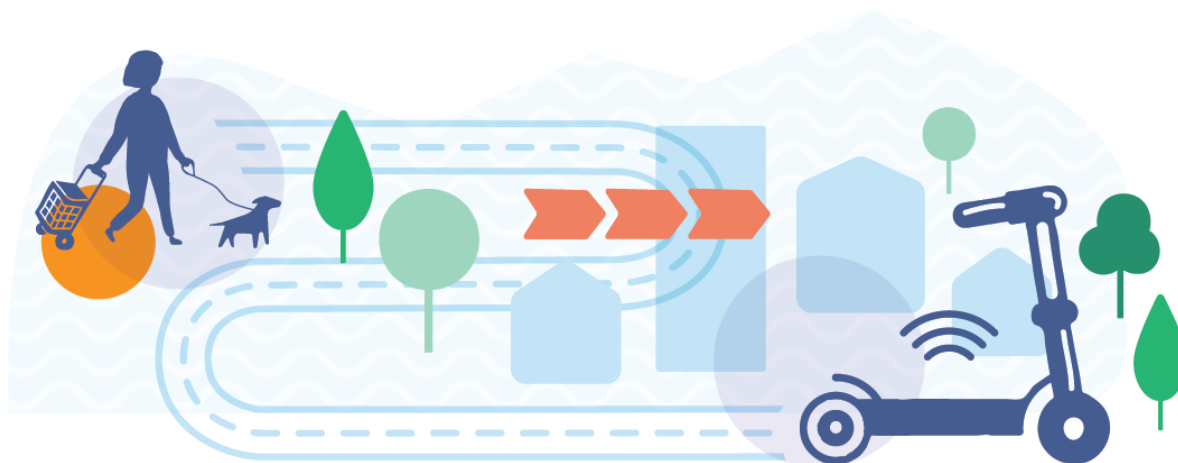
- 45** This regulation is repealed on April 5, 2028.

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# Frequently Asked Questions for Municipal Governments

## Electric Kick Scooter Pilot Project (April 5, 2024 – April 5, 2028)



These FAQs provide information for municipalities on the BC electric kick scooter pilot project that starts on April 5, 2024. Communities are encouraged to review this information and the [Electric Kick Scooter Pilot Project Regulation](#), and join the new pilot project. Municipalities can join by passing a resolution or bylaw and communicating it to the Ministry of Transportation and Infrastructure.

Questions about the pilot project can be sent to the Ministry of Transportation and Infrastructure at: [MVA.Pilot.Project@gov.bc.ca](mailto:MVA.Pilot.Project@gov.bc.ca).

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## General information

### ***1. What are electric kick scooters and why are they being piloted?***

Electric kick scooters are battery-powered devices with a motor and two to four wheels, a platform for standing and handlebars for steering. Electric kick scooter use is not currently legal in all BC communities.

In 2021, the Ministry of Transportation and Infrastructure launched a pilot project to test electric kick scooter use in participating pilot communities, along with guidelines for users and rules of the road. The current pilot project ends on April 5, 2024, at which time a new four-year pilot is starting under a new regulation and legislative framework. The results of these pilot projects will be used to determine if and how electric kick scooters should be authorized for general use in BC.

### ***2. What's different about the new pilot project?***

The new pilot project provides opportunity to collect more safety data and information before a decision is made on whether and how to permanently regulate these devices. It is longer (four years instead of three) and has simplified processes for participation and reporting. The new regulation also makes other key changes which are detailed below.

### ***3. Why should communities join the pilot project?***

Electric kick scooters are a popular clean, convenient and relatively affordable mode of transportation. Participating communities provide the opportunity for residents and visitors to legally use these devices in their municipal boundaries. Police can issue tickets and fines for electric kick scooter use in a non-participating community.

The Province encourages communities to join the pilot project as it will assist in assessing the safety of these devices and help to develop a potential permanent regulatory framework for these devices.

### ***4. Will the Ministry be providing additional information on the pilot project?***

The [Electric Kick Scooter Pilot Project website](#) contains information on the current and new pilot project and will be regularly updated.

Ministry staff will also be scheduling outreach sessions in early 2024 for current pilot communities and others interested in joining the new pilot project. If you wish to participate or have questions, contact the Ministry at: [MVA.Pilot.Project@gov.bc.ca](mailto:MVA.Pilot.Project@gov.bc.ca)

## How communities can join

### ***5. How can a municipality join the pilot project?***

A municipal council only needs to: 1) pass a resolution or bylaw that consents to the pilot project taking place within the municipality, starting April 5, 2024; and 2) communicate that decision to the Ministry of Transportation and Infrastructure at: [MVA.Pilot.Project@gov.bc.ca](mailto:MVA.Pilot.Project@gov.bc.ca)

The Ministry will begin publishing the list of participating communities on the [Electric Kick Scooter Pilot Project website](#) on April 5, 2024, when the new pilot project starts. Once a community is listed on the website, notice is provided that the pilot project is starting on the date specified.

### ***6. What must the resolution or bylaw say?***

The resolution or bylaw must fulfil the legislative requirements under *Motor Vehicle Act* section 307 (as [amended](#) by the *Motor Vehicle Amendment Act, 2023*).

Sample wording for resolution/bylaw:

*The [name of municipality] consents to the Electric Kick Scooter Pilot Project taking place within the [name of municipality], starting on April 5, 2024.*

### ***7. When can the resolution or bylaw be passed?***

It can be passed anytime prior to or after April 5, 2024. A community that passes a resolution or bylaw after April 5, 2024, starts participating in the pilot project on the date specified in the notice on the Electric Kick Scooter Pilot Project website.

### ***8. What must current pilot- communities do to continue participating?***

Current pilot communities must follow the same process to join the new pilot project, by passing a resolution or bylaw.

### ***9. Is a bylaw needed to set municipal rules for the pilot?***

A bylaw is not necessary to set municipal rules for the pilot, as the new regulation provides a regulatory framework for electric kick scooters, including locations where they may be operated.

Participating communities are authorized to set rules regarding specific matters stated in the regulation, such as prohibiting the use of electric kick scooters on certain roads. The regulation provides flexibility for participating communities to do this by either erecting a traffic control device or by enacting a bylaw.

If a pilot community wishes to continue using any bylaw they have for the current pilot project, they should review it to ensure that it is authorized and necessary under the new pilot project framework.

### ***10. Can a bylaw set different rules for the pilot project?***

A bylaw may only be used for specific matters set out in the regulation. A bylaw cannot be inconsistent or conflict with the regulation, as that will render the bylaw inoperative and of no force and effect to the extent that it conflicts or is inconsistent with the regulation.

### ***11. What will happen if a community does not join the new pilot project?***

Electric kick scooter use is not legally permitted within a community unless it is participating in the pilot project. Contraventions can result in a person receiving a violation ticket and fine, or facing other consequences.

### ***12. Is the Province providing funding to help communities participate?***

Any costs for participating are the responsibility of the community. Communities are also responsible for obtaining any related legal or policy advice to participate in the pilot project.

## **Pilot project rules**

### ***13. Where can I find the new pilot project rules?***

The new [Electric Kick Scooter Pilot Project Regulation](#) (which comes into force April 5, 2024) sets main rules for the pilot project, including device standards and rules for operators. *Motor Vehicle Act Part 13* (as amended by the *Motor Vehicle Amendment Act, 2023* effective April 5, 2024) sets overall criteria for pilot projects.

The Ministry [Electric Kick Scooter Pilot Project website](#) provides public information on the current pilot project rules, and will be regularly updated, including on April 5, 2024, when the new pilot project rules take effect.

#### ***14. What are the rules for devices?***

Only devices that meet prescribed requirements set out in section 3 of the regulation are considered “electric kick scooters” and permitted to operate in participating communities. For example, an electric kick scooter must not have a continuous power output rating that exceeds 500W or be capable of travelling above 25 km/h on a flat surface. They must also be designed to transport one person and cannot have pedals, a seat or a structure enclosing the device. Other equipment requirements for electric kick scooters are set out in Part 5 of the regulation.

#### ***15. Are the rules for devices the same as in the current pilot project?***

The new Regulation makes minor updates to certain device requirements, including the maximum speed (25 km/hr instead of 24 km/hr), braking performance and lighting requirements. If a pilot community wishes to continue using any current bylaw they have for the new pilot project, they should review it to ensure that it is authorized and necessary under the new pilot project framework.

#### ***16. What are the rules for operators?***

Generally, electric kick scooters can be operated in areas and in a similar manner as cycles but must be operated in a cycle lane if one is available. Rules in the new Regulation for highway use depend on whether the highway is inside or outside of a participating community, the speed limits of the highway and who has jurisdiction of the highway.

Part 2 of the Regulation sets out where an electric kick scooter can be operated *inside a participating community*.

Part 3 of the Regulation sets out where an electric kick scooter can be operated *outside a participating community*.

#### ***17. Are the rules for operators the same as in the current pilot project?***

The new Regulation makes minor updates to certain operator requirements, including where electric kick scooter use is permitted and rules for left turns at intersections.

If a current pilot community wishes to continue using any bylaw they have for the new pilot project, they should review it to ensure that it is authorized and necessary under the new pilot project framework.

### ***18. Who is responsible for enforcing the rules?***

Law enforcement is responsible for enforcing provincial rules for the pilot project, and can issue violation tickets with fines for offences or take other enforcement actions. Municipal bylaw officers are responsible for enforcing any bylaws.

### ***19. What are the penalties for offences?***

Penalties are similar to those for cycling-related offences and will be set in the Violation Ticket Administration and Fines Regulation. Most offences have a \$109 fine, except the fine for not wearing a helmet, which is \$29. Penalties for contraventions of a bylaw are set by the municipality.

## **Data collection and reporting**

### ***20. What data will participating communities have to collect and report?***

The new regulation simplifies the data participating communities must collect for reporting purposes. Participating communities will no longer need to collect information from third parties like shared service providers or ICBC. The Ministry will collect that information directly from those organizations under the new pilot project.

Participating communities will be required to report data using a simplified form to be provided by the Ministry. The simplified form is intended to make it easier for communities to participate and is expected to be required on an annual basis.

### ***21. What other data is being collected for the pilot project?***

The Ministry will directly obtain data from other parties specified in the new regulation, including shared service providers, ICBC and BC Injury Research and Prevention Unit.

### ***22. What will the data be used for?***

The data collected will help assess the safety of electric kick scooters and determine if and how electric kick scooters should be authorized for general use in BC. Results will also assist in the development of possible future pilot projects on other matters relating to the *Motor Vehicle Act*.

## Miscellaneous

### ***23. What has been learned from the first pilot project to date?***

Interim results from the current pilot project ending on April 5, 2024 were included in a backgrounder to the [News Release](#) announcing the new regulations. They included:

- British Columbians support the testing of electric kick scooters
- Electric kick scooters have environmental benefits and can help meet sustainable transportation goals
- Participating communities have higher levels of support
- Electric kick scooters can help meet sustainable transportation goals
- Injuries and conflicts with other road users are rare when operators follow the rules
- Overall awareness of the project and electric kick scooter laws is low

### ***24. Why aren't other types of devices like one-wheeled devices being piloted?***

The current pilot project only applies to electric kick scooters, which are the most popular new form of personal transportation. Other types of emerging personal mobility devices may be piloted in the future.

### ***25. What will happen at the end of the new pilot project in 2028?***

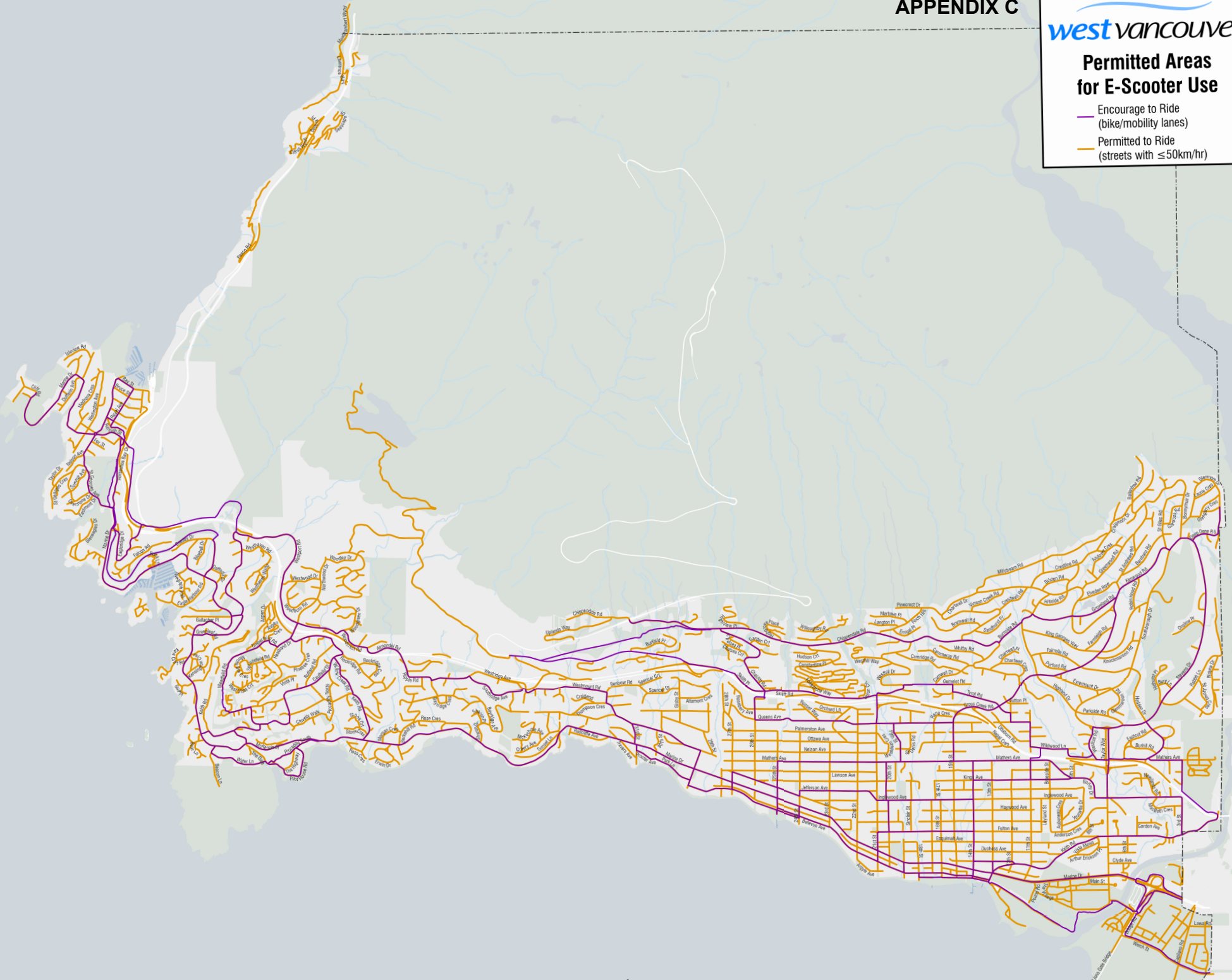
The Province will be analyzing the results of the pilot project over the next four years. When the new pilot project ends on April 5, 2028, a decision will be made on whether to permanently authorize electric kick scooters for general use in BC.

### ***26. What other Canadian jurisdictions allow electric kick scooters?***

Electric kick scooter use is currently allowed in cities in Alberta (Edmonton and Calgary), New Brunswick (Fredericton) and Saskatchewan (Regina and Saskatoon). Ontario and Quebec have pilot projects underway like B.C. Rules vary by jurisdiction. For example, Edmonton and Calgary only allow electric kick scooter rental companies. Saskatchewan only allows electric kick scooters within municipalities that authorize their use.

### Permitted Areas for E-Scooter Use

- Encourage to Ride (bike/mobility lanes)
- Permitted to Ride (streets with  $\leq 50\text{km/hr}$ )



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