

AMENDMENTS TO THE TRANSIT BY-LAW

**MODIFICATIONS AU RÈGLEMENT MUNICIPAL SUR LE TRANSPORT EN
COMMUN**

COMMITTEE RECOMMENDATIONS

That Council:

1. Confirm and extend the delegation of authority to the General Manager, Transportation Services, to allow and regulate the carriage of bicycles, electric kick-scooters and power-assisted bicycles onboard O-Train cars and on transit property, and amend the Transit By-law as required and as further described in this report; and
2. Amend the Transit By-law to prohibit the use of unmanned air vehicles on or over transit property where a permit has not been issued by the General Manager, Transportation Services, as further described in this report.

RECOMMANDATIONS DU COMITÉ

Que le Conseil :

1. confirme et élargisse les pouvoirs délégués au directeur général des Transports afin qu'il puisse permettre et réglementer le transport de vélos, de trottinettes électriques et de vélos électriques à bord des voitures de l'O-Train et sur les propriétés reliées au transport en commun ainsi que de modifier le *Règlement sur le transport en commun* selon les besoins et comme il est décrit plus en détail dans le présent rapport;
2. modifie le *Règlement sur le transport en commun* afin d'interdire l'utilisation de drones sur ou au-dessus d'une installation de transport en commun sans permis délivré par le directeur général

des Transports, comme cela est décrit plus en détail dans le présent rapport.

Documentation/Documentation

1. General Manager's report, Transportation Services Department, dated February 5, 2021 (ACS2021-TSD-TS-0001)

Rapport du Directeur général, Direction générale des transports, daté le 5 février 2021 (ACS2021-TSD-TS-0001)
2. Extract of draft Minutes, Transit Commission, 17 February 2021

Extrait de l'ébauche du procès-verbal, Commission du transport en commun, le 17 février 2021

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**Report to
Rapport au:**

**Transit Commission
Commission du transport en commun
17 February 2021 / 17 février 2021**

**and Council
et au Conseil
24 February 2021 / 24 février 2021**

**Submitted on February 5, 2021
Soumis le 5 février 2021**

**Submitted by
Soumis par:
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2021-TSD-TS-0001

SUBJECT: Amendments to the Transit By-law

OBJET: Modifications au Règlement municipal sur le transport en commun

REPORT RECOMMENDATIONS

That the Transit Commission recommend that Council:

- 1. Confirm and extend the delegation of authority to the General Manager, Transportation Services, to allow and regulate the carriage of bicycles,**

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electric kick-scooters and power-assisted bicycles onboard O-Train cars and on transit property, and amend the Transit By-law as required and as further described in this report; and

2. Amend the Transit By-law to prohibit the use of unmanned air vehicles on or over transit property where a permit has not been issued by the General Manager, Transportation Services, as further described in this report.

RECOMMANDATIONS DU RAPPORT

Que la Commission du transport en commun recommande au Conseil :

1. de confirmer et d'élargir les pouvoirs délégués au directeur général des Transports afin qu'il puisse permettre et réglementer le transport de vélos, de trottinettes électriques et de vélos électriques à bord des voitures de l'O-Train et sur les propriétés reliées au transport en commun ainsi que de modifier le *Règlement sur le transport en commun* selon les besoins et comme il est décrit plus en détail dans le présent rapport;
2. de modifier le *Règlement sur le transport en commun* afin d'interdire l'utilisation de drones sur ou au-dessus d'une installation de transport en commun sans permis délivré par le directeur général des Transports, comme cela est décrit plus en détail dans le présent rapport.

BACKGROUND

The Transit By-law (By-law No. 2007-268, as amended) regulates public transit including fares and transfers, proof of payment, transit passes, conduct, general prohibitions, Transitway guidelines, park and ride lots, permits, fees, and enforcement.

At its meeting of February 21, 2018, Transit Commission approved an amendment to the Transit By-law to allow bicycles on O-Train cars at all times and directed staff to review the operations and impacts on both O-Train lines. The direction also included that staff report back following 15 months of operations of O-Train Line 1 (Motion No. TTC 27-03 and Motion No. TTC 27-04).

At its meeting of June 10, 2020, Council approved Ottawa's Electric Kick Scooter Strategy and Pilot Project and a new Electric Kick Scooter By-law (By-law 2020-174).

Staff have reviewed the applicability to transit property of the provisions made in the strategy, pilot project, and by-law.

At its meeting of December 9, 2020, Council approved amendments to the Delegation of Authority By-law granting the General Manager, Recreation, Cultural and Facility Services the delegated authority to approve, amend, extend and execute agreements related to the use of unmanned air vehicles (UAVs) on City property other than transit property. The report also states:

- Currently, the Parks and Facilities By-law and the Transit By-law are both silent on the use of UAVs. Both by-laws will be updated if this new authority is approved.

The recommendations in this report are to update the Transit By-law to address use of bicycles and UAVs on or around transit property.

Council will be considering the continuance of Ottawa's Electric Kick Scooter sharing pilot for the 2021 season on February 10, 2021.

DISCUSSION

From time-to-time, the Transit By-law needs to be updated to support a safe, accessible, and well-functioning transit system. The recommendations in this report ensure the evolution of the transit network in a suitable manner.

Bicycles on O-Train Cars

Staff are recommending making permanent the 2018 decision of Transit Commission to allow the carriage of bicycles on the first O-Train car. On O-Train Line 1, customers with bicycles are required to board through the first door of the first car of the train, following the marked bicycle boarding zones on the station platforms. On O-Train Line 2, customers with bicycles are required to board through the doors that are marked with the bicycle symbol.

Once on the train, customers are required to ride with their bicycles in the nearest cooperative seating area. In approving this recommendation to confirm and continue the delegated authority to the General Manager, Transportation Services, to allow and regulate the carriage of bicycles onboard O-Train cars, no changes to the Transit By-law are required.

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The decision of the Commission in 2018 was for staff to report back with information on the experience of the first 15 months of operations of O-Train Line 1, which extended from September 2019 until November 2020. During that time, staff identified no operational difficulties or overall inconvenience for other customers resulting from the carriage of bicycles on board. Generally, customers are following the signage in the stations and on the trains. Any exceptions can be addressed by operational staff, supervisory staff, or Special Constables, as appropriate.

Allowing bicycles on O-Train cars can encourage customers to use a bicycle as the first and last mile of a trip, converting trips that might have otherwise be made in an automobile. In addition to the health benefits of increasing active transportation, mode shifting from automobile to bicycle and transit can also help reduce congestion and greenhouse gas emissions. The use of bicycles to connect with the transit system is also encouraged and supported by building bicycle parking – some of it covered and some of it enclosed – at most O-Train and Transitway stations, by providing bicycle racks during the summer months on many buses, and by configuring new O-Train stations to make it easier to walk bicycles up and down stairs.

Electric kick scooters and power-assisted bicycles

At its meeting of June 10, 2020, Council approved Ottawa's Electric Kick Scooter Strategy and Pilot Project and a new Electric Kick Scooter By-law (By-law 2020-174). Staff have reviewed the applicability of these provisions to the potential carriage of electric kick scooters on transit property, in stations, and on trains.

- Staff recommend that the Transit By-law be amended to allow electric kick scooters on transit property and on O-Train cars, following the same general provisions as in the Electric Kick Scooter By-law. Staff also recommend the following specific provisions for transit property, to be included as amendments to the Transit By-law:
- Electric scooters may not be ridden in stations, on station platforms, or on trains; they must be guided manually;
- Customers with electric scooters must board through the first door of the train on O-Train Line 1 and through the marked door for bicycles on O-Train Line 2;
- Each customer may not bring more than one electric scooter on board with them;

- Electric scooters may only be ridden on sidewalks and pathways on transit property where specifically permitted by signage;
- Electric scooters may not be carried on the bicycle racks of buses; and,
- None of these provisions or restrictions apply to devices being used as mobility aids as defined in the Transit By-law.

Since the Transit By-law was adopted in 2007, power-assisted bicycles (e-bikes) have become more common and the battery, control, and motor technology has improved so that e-bikes are more compact and lighter.

- Staff recommend that the Transit By-law be amended to allow e-bikes on transit property and on transit vehicles, as muscular-powered bicycles are, subject to the following specific provisions, to be included as amendments to the Transit By-law:
- Different classes of electric bicycles are expected to be defined in provincial legislation this year;
- The lighter, two-wheeled, electric bicycles are permitted on transit property and on trains in the same way as standard bicycles are;
- The lighter, two-wheeled, electric bicycles may not be ridden in stations or on station platforms; they must be guided manually;
- The lighter, two-wheeled, electric bicycles may only be carried on the bicycle racks of buses if they are within size and weight limits to be set by the General Manager, Transportation Services;
- The heavier electric bicycles that are similar to mopeds, electric bicycles with more than two wheels, and cargo e-bikes are not permitted in stations, on platforms, on trains, or on buses, and are governed by the same provisions on transit property as motor vehicles; and,
- None of these provisions or restrictions apply to devices being used as mobility aids as defined in the Transit By-law.

Allowing electric kick scooters and power-assisted bicycles on the transit system can encourage customers to use these devices for the first and last parts of a trip, converting trips that might have otherwise be made in an automobile. Shifting from automobile to more sustainable forms of transportation can also help reduce congestion and greenhouse gas emissions.

Prohibition of UAVs

Staff are recommending including in the Transit By-law a prohibition on Unmanned Air Vehicles, or drones, on all transit property, transit vehicles, and transit infrastructure, where the use has not been approved by the General Manager, Transportation Services. This is to maintain consistency with the decisions taken by Council for other City property. It also responds to recommendations identified in the Threat and Vulnerability Assessment being prepared for the Stage 2 O-Train extensions.

Staff are recommending the addition of delegated authority for the General Manager, Transportation Services, to approve, amend, extend, and execute agreements related to the use of unmanned air vehicles on transit property and that no person shall use an unmanned air vehicle on OC Transpo property without such prior authorization by the General Manager, Transportation Services. This maintains consistency with the decisions taken by Council for other city property, where that authority is delegated to the General Manager, Recreation, Cultural and Facility Services.

Prohibiting drones on transit property except where they have specifically authorized by the General Manager will improve safety on the transit system. Unauthorized drones can be a distraction from the attention that operating staff are giving to the safe operation of trains and buses, as there is a potential that they could come into contact with transit vehicles or transit infrastructure, or that they could be operated with ill intent. The operation of any drones that are permitted would be communicated to operating and supervisory staff, so that they expect and are aware of their presence.

Signage would be posted along the O-Train rights of way and on other transit property to advise that drones are prohibited. Operating and supervisory staff would report the presence of unauthorized drones to the Transit Operations Control Centre, and Special Constables or the Ottawa Police Service would be dispatched for investigation and enforcement.

Staff would consider applications from amateur or commercial drone operators for flights in defined locations at defined times. Drone operators would contact the OC Transpo customer service centre and would be provided with a standard agreement. The General Manager may determine that costs incurred in managing or supervising the permitted drone operation would need to be recovered from the drone operator.

RURAL IMPLICATIONS

This report has no implications for the rural area of the City.

CONSULTATION

Since the launch of O-Train Line 1 service, there have been no operational issues observed with bicycles and no complaints received by Customer Service.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a City-wide report.

ADVISORY COMMITTEE(S) COMMENTS

N/A

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

Staff are recommending expanding Section 19 of the Transit By-law to include a prohibition on Unmanned Air Vehicles, or drones, on all OC Transpo property and transit infrastructure. This responds to the Threat and Vulnerability Assessments for the Stage 2 projects.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the recommendations of this report. Any additional cost incurred will be funded from within Transit's existing operating budget.

ACCESSIBILITY IMPACTS

Continuing to allow bicycles on O-Train cars potentially affects one out of eight cooperative seating areas on each train on O-Train Line 1. OC Transpo mitigates this impact through the designated boarding areas for passengers with bicycles and an increase in the number of trains running during peak periods. OC Transpo will encourage customers using a mobility aid to use any of the other seven cooperative seating areas on each train.

ENVIRONMENTAL IMPLICATIONS

Allowing bicycles on O-Train cars and encouraging the use of electric scooters and electric bicycles extends the reach of public transit as a multimodal transportation option. Encouraging the use of cycling and public transit helps to reduce reliance on automobiles, which in turn reduces emissions.

TERM OF COUNCIL PRIORITIES

The changes to the Transit By-law align with the Integrated Transportation Priority of the 2019-2022 Council Plan.

- Integrated Transportation: Enable effective mobility through a sustainable, accessible, and connected city transportation system.

DISPOSITION

Upon approval of this report, the required amending By-law(s) will be prepared by Transportation Services in consultation with Legal Services, and the City Solicitor may place such by-laws on the agenda of Council for enactment. For the by-law amendments related to electric bicycles, those will be prepared and placed on the agenda of Council for enactment after the new provincial legislation is in place defining the different classes of electric bicycles.