



# Committee Agenda

**Committee Meeting of Council  
November 7, 2011  
at 7:00 p.m.**

# MEETINGS

**FOR THE WEEK OF  
NOVEMBER 7<sup>TH</sup>, 2011**

Monday, November 7, 2011

5:00 p.m.

Special Closed Meeting of Council  
Council will adjourn in-camera for  
training and educational purposes  
5<sup>th</sup> Floor Boardroom  
Light dinner

7:00 p.m.

Committee Meeting of Council  
Council Chambers, 2<sup>nd</sup> Floor

# MEETINGS

**HELD UNDER THE  
*PLANNING ACT***

Nil

**GENERAL GOVERNMENT COMMITTEE**

Monday, November 7, 2011

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**Chairperson:** Councillor Chirico  
**Vice-Chair:** Councillor Koziol  
**Members:** Councillors Anthony, Maroosis  
**Ex-Officio:** Mayor McDonald

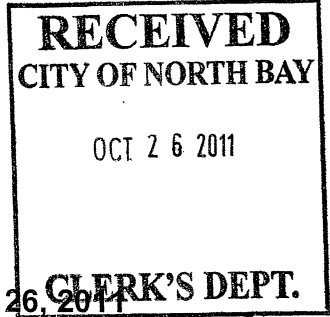
- GG-2011-04 Motion from Councillor Anthony dated January 10, 2011 re Council remuneration (F16/2011/CNB/COUNCIL).
- GG-2011-16 Report from C.M. Conrad dated August 2, 2011 re Election campaign signs (C07/2011/ELECT/GENERAL).
- ▶ **GG-2011-18 Report from D.G. Linkie dated August 31, 2011 re Power assisted bicycles (T00/2011/TRANS/GENERAL).**
- GG-2011-19 Report from R. Mimee / L. Rochefort dated October 12, 2011 re 2012 Water and Sanitary Sewer Rates (F22/2011/TAXR/GENERAL) (F22/2012/TAXR/GENERAL).

# GG-2011-18

Draft recommendation.

- "That
- a) power assisted bicycles be permitted in all locations where conventional bicycles are permitted pursuant to the *Highway Traffic Act* and relevant City of North Bay Traffic By-Laws;
  - b) power assisted bicycles be permitted to be used on City of North Bay and North Bay-Mattawa Conservation Authority trails within the City of North Bay in peddle mode only;
  - c) appropriate signage be posted along trails advising that power assisted bicycles can only be used in peddle mode on these trails; and
  - d) trailers designed to be towed behind power assisted bicycles be restricted to no more than 1 metre in width."

City of North Bay  
Report to Council



Report No: CAO 2011- 07

Date: October 26, 2011

Originator: David Linkie  
Chief Administrative Officer

Subject: Power Assisted Bicycles (PAB)

File No: C04

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### RECOMMENDATIONS

- 1) That power assisted bicycles be permitted in all locations where conventional bicycles are permitted pursuant to the Highway Traffic Act and relevant City of North Bay traffic by-laws; and
- 2) That power assisted bicycles be permitted to be used on City and North Bay Mattawa Conservation Authority trails within the City of North Bay in peddle mode only; and
- 3) That appropriate signage be posted along trails advising that power assisted bicycles can only be used in peddle mode on these trails; and
- 4) That trailers designed to be towed behind power assisted bicycles be restricted to no more than 1 metre in width.

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### BACKGROUND

Report No CA0 2011-07 is a supplemental report to Report No CAO 2011-06 dated August 31, 2011.

Report No CAO 2011-06 briefly described the emergence of power assisted bicycles (PAB's) which are also referred to as ebikes.

The Federal government regulates safety aspects of the fabrication of theses PAB's, the Province of Ontario regulates their use under the Highway Traffic Act, and local municipalities have the authority to regulate where they may or may not be used on public property.

With the recent explosion in the popularity and use of PAB's, many jurisdictions are considering best management practices to integrate these conveyances into communities.

Currently, the treatment has ranged from out-right prohibitions to no restrictions of any form. In Ontario the Province of Ontario has established minimum standards under the Road Safety Act, 2009 and the Ontario Highway Traffic Act.

In my opinion, if operator's of PAB's follow the applicable laws there should be no significant problems on municipal roadways.

Potential conflicts are anticipated on local multi-use trails. These trails, including the Kate Pace Way and the Kinsmen trail are heavily used by pedestrians, conventional cyclists and roller bladers. Certain stretches of these trails contain limited site lines exacerbating the potential for conflicts.

Of concern is the fact that power assisted bicycles can weigh up to 120 kg and travel at speeds up to 32 km/hr (see New and Emerging Vehicles fact sheet appended hereto.)

Injury resulting from a collision between a PAB and a pedestrian or cyclist could be more severe due to increased weights and travel speeds.

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## **OPTIONS / ANALYSIS**

### **Option 1**

Allow PAB's to be utilized anywhere a conventional bicycle is used pursuant to applicable Provincial regulation and legislation.

### **Option 2**

Prohibit the use of PAB's anywhere on public property within the City of North Bay.

### **Option 3**

Allow the use of PAB's on municipal roadways but prohibit their use on multi-use trails.

### **Option 4**

Allow the use of PAB's on municipal roadways but only allow their use on multi-use trails in peddle mode.

## **RECOMMENDED OPTION / FINANCIAL IMPLICATIONS**

Option 4 is the recommended option. This option acknowledges that the use of multi-use trails are intended to provide recreation opportunities that contribute to healthy active living lifestyles.

Operators of PAB's have alternative routes available to get from points of origin to destinations if the purpose of the trip is other than recreational. This option may result in increased enforcement challenges but is seen as a compromise between a full prohibition on area trails or an option that imposes no restriction on the use of PAB's on trails.

A further issue that has come to light is the ability to haul "trailers" behind PAB's. Most

commercially available bicycle trailers are less than 13.6 kg (30 pounds) in weight and 0.90 metres (3 feet) in width.

The City has been made aware of an individual who has been observed towing a snow mobile trailer behind a PAB. Towing a trailer of this dimension and weight imposes significant risks to both the operator and members of the public that may come into conflict with the towed trailer.

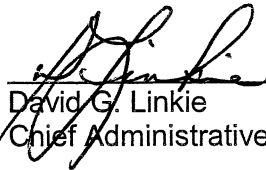
I would further recommend that a maximum width of one metre be imposed on any towed trailer.

Should Council choose to adopt the recommended option, minor costs will be incurred with respect to the acquisition and installation of signage. There may also be increased enforcement costs.

It should be noted that the recommendations contained in this report are intended to supplement the recommendations contained in Report No CAO 2011-06, not replace them.

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Respectfully submitted,



David G. Linkie  
Chief Administrative Officer

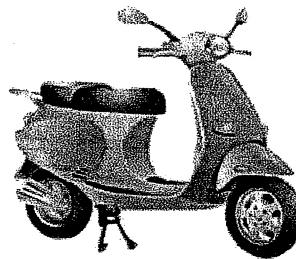
Personnel designated for continuance: D. Linkie CAO

Attachments: New and Emerging Vehicles Fact Sheet

Copy for: Troy Storms, North Bay Mattawa Conservation Authority  
Jerry Knox  
Alan Korell  
Ian Kilgour  
Al Williams – Deputy Chief NBPS

# New and Emerging Vehicles

## E-bikes, Mopeds and Motor Scooters




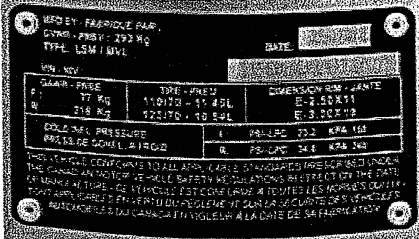


This document is intended for information purposes only. While the Ministry of Transportation does its best to ensure that the information provided is current, the Ontario Highway Traffic Act (HTA), as the official version of the law, should be relied on to ensure accuracy.

Link to the HTA: [e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90h08\\_e.htm](http://e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h08_e.htm)

Common name	E-bike and E-scooter	Moped	Motor Scooter
<b>HTA classification</b>	Power-assisted bicycle, Bicycle	Motor-assisted bicycle	Limited-speed motorcycle (LSM)
<b>Where on the roadway do I drive this vehicle?</b>	As close to the right edge of the roadway as is practicable (similar to a bicycle).	Within a lane marked for motor vehicle traffic. If travelling slower than the normal speed of traffic at that time and place, then must travel as close to the right edge of the roadway as is practicable.	
<b>Roads where operation is prohibited</b>	Controlled access highways* (e.g. 400-series highways), and where municipalities prohibit		
<b>Is this a motor vehicle under the HTA?</b>	No	Yes	Yes
<b>Is this a motor vehicle under the Criminal Code of Canada?</b>	Yes	Yes	Yes
<b>Required to be equipped with pedals?</b>	Yes	Yes	No, not applicable - not manufactured with pedals
<b>Key characteristics</b>	<ul style="list-style-type: none"> <li>• Electric-powered</li> <li>• Maximum power output: 500 W</li> <li>• Maximum speed: 32 km/h</li> <li>• Maximum weight: 120 kg</li> </ul>	<ul style="list-style-type: none"> <li>• Gas-powered</li> <li>• Maximum engine size: 50 cc</li> <li>• Does not attain a speed greater than 50 km/h within 2 km from start</li> <li>• Maximum weight: 55 kg</li> </ul>	<ul style="list-style-type: none"> <li>• Electric- or gas-powered</li> <li>• Maximum engine size: 50 cc</li> <li>• Maximum speed: 70 km/h</li> <li>• Can attain speed of 32 km/h within 1.6 km</li> </ul>
<b>Additional characteristics</b>	<ul style="list-style-type: none"> <li>• Independent front and rear wheel braking</li> <li>• May have 2 or 3 wheels</li> <li>• Steering handlebars</li> <li>• Minimum wheel diameter: 350 mm</li> <li>• Minimum tire width: 35 mm</li> <li>• No modifications allowed to increase speed or power</li> <li>• Must have bell, white front light and red rear light</li> </ul>	<ul style="list-style-type: none"> <li>• Independent front and rear wheel braking</li> <li>• Pedals must be operable at all times</li> <li>• Does not have hand or foot-operated clutch</li> </ul> <p>Note: regular bicycles with attached gas engines (i.e. moped conversions) are not eligible for registration by the Ministry of Transportation, and therefore cannot be used on public roads.</p>	<ul style="list-style-type: none"> <li>• Independent front and rear wheel braking</li> <li>• Minimum seat height: 650 mm</li> <li>• Minimum wheelbase: 1016 mm</li> <li>• Minimum wheel rim diameter: 250 mm</li> <li>• "Step through" scooter design, and handlebar steering</li> </ul>



<b>Minimum operator age</b>	16	16	16
<b>Helmet required?</b>	Bicycle or motorcycle helmet	Motorcycle helmet	Motorcycle helmet
<b>Driver's licence required?</b>	No**	Yes: M1, M2 or M, or Restricted M2 or M with L endorsement	Yes: M1, M2 or M, or Restricted M2 or M with L endorsement
<b>Plates and insurance required?</b>	No	Yes, registration, insurance and moped plate required 	Yes, registration, insurance and limited-speed motorcycle plate required 
<b>Passengers allowed?</b>	Yes, if passenger seat available	No	Yes, if passenger seat available. Passenger must be able to reach foot pegs
<b>Passenger minimum age</b>	16	Not Applicable	None
<b>Passenger helmet required?</b>	Yes, bicycle or motorcycle helmet.	Not Applicable	Yes, motorcycle helmet.
<b>Compliance label</b>	Must have permanent label from manufacturer indicating it conforms to federal definition of a power-assisted bicycle. May be located on steering column. 	Must have permanent label from manufacturer indicating it conforms to federal definition of a limited-speed motorcycle if built after Sep. 1, 1988. May be located on steering column or under seat. 	

\* Controlled-access highways include the 400-series highways, provincial highways 69, 6, 24, 35, 58, and specific parts of certain provincial highways. For more details, please see Schedule 1 in Ontario Regulation 630: Vehicles on Controlled-Access Highways.  
Link: [http://www.e-laws.gov.on.ca/html/reg/english/elaws\\_regs\\_900630\\_e.htm](http://www.e-laws.gov.on.ca/html/reg/english/elaws_regs_900630_e.htm)

#### Additional Notes About E-bikes

**Pedals:** If the pedals have been removed from an e-bike, it is no longer considered to be an e-bike. Removing the pedals makes it an illegal motor vehicle because it does not conform with the HTA definition of a power-assisted bicycle. Operators run the risk of being ticketed for operating a motor vehicle without registration and insurance. E-bike purchasers who have concerns with the pedal location may wish to consider other models and/or styles of e-bikes.

**Driving an e-bike while intoxicated:** You do not need a driver's licence to operate an e-bike. However, an e-bike is considered a motor vehicle under the Criminal Code of Canada. Anyone operating an e-bike while intoxicated can be charged for impaired driving under the Criminal Code of Canada. If convicted, the offender would be subject to the Criminal Code penalties, including a fine or jail time, and a driving prohibition.

**\*\* Suspended licences and e-bikes:** If your driver's licence is suspended, you may not be legally allowed to drive an e-bike. If you have been convicted under the Criminal Code of Canada that has resulted in a driving prohibition, you cannot legally operate an e-bike until the prohibition has been lifted. If your driver's licence has been suspended under these or other circumstances, it is recommended that you discuss your situation with a licensed legal practitioner before deciding to operate an e-bike.

For more information about these and other new and emerging vehicles, please see the MTO website:  
<http://www.mto.gov.on.ca/english/dandv/vehicle/emerging/index.shtml>

**City of North Bay**  
**Report to Council**

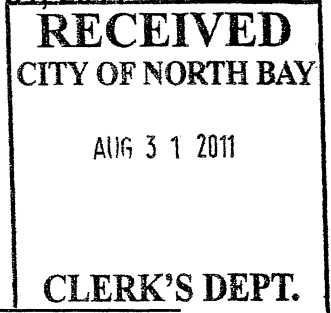
**Report No: CAO 2011- 06**

**Date: August 31, 2011**

**Originator: David Linkie**  
**Chief Administrative Officer**

**Subject: Power Assisted Bicycles**

**File No: C04**



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**RECOMMENDATIONS**

- 1) That staff be directed to promote the fact that power-assisted e-bikes are bound by regulations and relevant rules of the road for bicycles under the Highway Traffic Act, with two noted exceptions.
- 2) That a link to the Ministry of Transportation web site regarding frequently asked questions (FAQ's) for e-bikes be provided on the City of North Bay web-site for a period of not less than one year.

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**BACKGROUND**

Municipalities in Ontario, including the City of North Bay have seen a significant increase in the number of power assisted bicycles or "e-bikes" on roads and highways where conventional bicycles are permitted.

These conveyances are seen to be environmentally friendly and a relatively inexpensive means of travel over limited ranges.

With the fairly quick growth in the number of these vehicles the City is experiencing an increase in the number of inquiries and complaints relating to the use of e-bikes.

The Province of Ontario undertook a comprehensive pilot project evaluating the use of power assisted bicycles commenced in 2009. It should be noted that the terms power assisted bicycles, ecco bikes, e-bikes and electric bikes are used inter-changeably.

At the conclusion of the study, best practices guidelines were developed resulting in amendments to the Road Safety Act, 2009 and the publication of Frequently Asked Questions which are appended hereto.

In summary, power assisted bicycles as defined by the Province of Ontario, are permitted on roads and highways where conventional bicycles are allowed with two notable exceptions being

- i) All operators and passengers must be at least 16 years of age; and
- ii) All operators and passengers must wear an approved bicycle or motorcycle helmet.

There are several other requirements that apply which owners / operators are required to adhere to.

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## **OPTIONS / ANALYSIS**

### **Option 1**

Council could seek to prohibit the use of power assisted bicycles. As previously stated, this means of transportation is gaining in popularity with many of the units having been legally purchased. These e-bikes provide affordable transportation that is extremely environmentally friendly.

This option is not recommended.

### **Option 2**

With increased popularity of the use of e-bikes, the City is receiving more calls relating to operators not abiding by established rules of the road. On balance there would be a significantly higher incidence of traditional cyclists on non-power assisted bicycles not adhering to these rules. The uniqueness of power assisted bicycles has made them more visible to the traveling public.

Option 2 recommends that City staff inform the public of the regulations and requirements associated with the use of power-assisted bicycles.

## **RECOMMENDED OPTION / FINANCIAL IMPLICATIONS**

Option 2 is the recommended option being "That staff be directed to promote the fact that power-assisted e-bikes are bound by regulations and relevant rules of the road for bicycles under the Highway Traffic Act, with two noted exceptions and further that a link to the Ministry of Transportation web site regarding frequently asked questions (FAQ's) for e-bikes be provided on the City of North Bay web-site for a period of not less than one year."

There are no significant financial implications with respect to the recommended option.

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Respectfully submitted,

  
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David G. Linkie  
Chief Administrative Officer


Personnel designated for continuance: S. Bradford, Director Information Systems  
Copy for: S. Bradford

## Definition of an Electric Bicycle ("e-bike")

### 1. What is a power-assisted bicycle ("e-bike")?

For use in the Province of Ontario, a power-assisted bicycle, or e-bike, is a bicycle that:

- Has a maximum weight of 120 kg (includes the weight of bike and battery);
- Has wheels with a diameter of at least 350 mm and width of at least 35 mm; and
- Meets the federal definition of a power-assisted bicycle:
  - has steering handlebars and is equipped with pedals,
  - is designed to travel on not more than three wheels in contact with the ground,
  - is capable of being propelled by muscular power,
  - has one or more electric motors that have, singly or in combination, the following characteristics:
    - it has a total continuous power output rating, measured at the shaft of each motor, of 500 W or less,
    - if it is engaged by the use of muscular power, power assistance immediately ceases when the muscular power ceases,
    - if it is engaged by the use of an accelerator controller, power assistance immediately ceases when the brakes are applied, and
    - it is incapable of providing further assistance when the bicycle attains a speed of 32 km/h on level ground,
  - bears a label that is permanently affixed by the manufacturer and appears in a conspicuous location stating, in both official languages, that the vehicle is a power-assisted bicycle as defined federally, and
  - has one of the following safety features,
    - an enabling mechanism to turn the electric motor on and off that is separate from the accelerator controller and fitted in such a manner that it is operable by the driver, or
    - a mechanism that prevents the motor from being engaged before the bicycle attains 3 km/hr.

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### 2. Why is Ontario placing additional safety equipment requirements on e-bikes? Why is meeting the federal definition alone not sufficient?

On October 3, 2006, the Province of Ontario began a pilot project to evaluate the use of power-assisted bicycles (also known as electric bikes or e-bikes) on roads and highways where conventional bicycles were allowed. The pilot was open to all Ontarians 16 years of age and older and ran for three years. During the pilot, electric bicycles were treated as bicycles and had to follow the same rules of the road as set out in the Highway Traffic Act that applied to cyclists, with two exceptions:

- Operators had to be 16 years of age or older, and
- All operators had to wear an approved bicycle helmet at all times.

During its e-bike pilot evaluation, the province had requested, and received, feedback from various stakeholders including environmental groups, bicycling groups, e-bike retailers, manufacturers, importers, law enforcement, municipalities, safety advocates, and other ministries. The feedback had been, for the most part, encouraging and positive. Based on the results we were confident in proceeding with legislative amendments in Bill 126, the Road Safety Act, 2009 that reflected the pilot's operating requirements. However, many stakeholders and members of the public did share concerns involving the safe integration of e-bikes, and in particular scooter-style e-bikes because of their size, weight and mode of operation. Therefore additional safety feature requirements for e-bikes, based largely on Best Practices issued by the Canadian Council of Motor Transport Administrators, were implemented.

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### 3. Is a power-assisted bicycle the same as an e-bike?

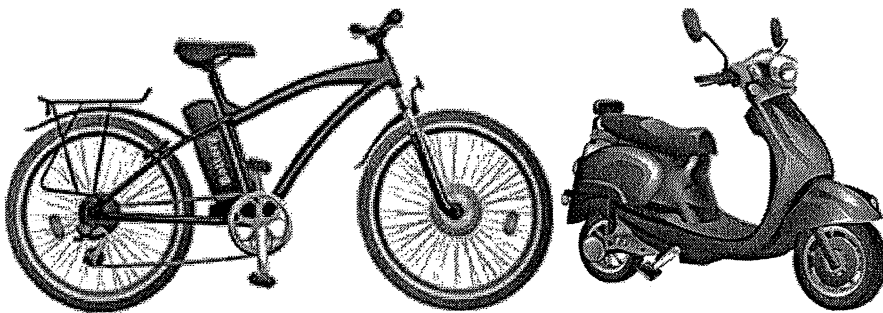
Yes. An e-bike is considered a power-assisted bicycle as long as it meets all the requirements of the Motor Vehicle Safety Act.

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### 4. Do all e-bikes look like bicycles? I have seen some that look like motor scooters being advertised as e-bikes.

E-bikes may resemble conventional bicycles, or resemble scooters and limited-speed motorcycles.



Effective October 3, 2009, conventional style and scooter-style e-bikes that meet the definition of a power-assisted bicycle, as described above, are permitted on roads and highways where conventional bicycles are currently allowed. They must follow the same rules of the road as set out in the Highway Traffic Act (HTA) that currently apply to cyclists, with some exceptions (see sections on Safety and Equipment Requirements, and Operating Requirements below)

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## 5. Why did the ministry decide to include scooter-style e-bikes in the definition of "bicycle"?

The current position of Ontario is no different than other Canadian jurisdictions that permit e-bikes on their roads. Ontario adopted the definition of power-assisted bicycle contained in s. 2(1) of the Motor Vehicle Safety Regulations (Canada). Despite the differences in appearance, both scooter-style e-bikes and conventional-style e-bikes that meet the federal definition of a power-assisted bicycle are available in the market.

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## Safety and Equipment Requirements

### 6. What safety requirements are in place for e-bikes? Aren't they, particularly those resembling scooters, heavier than conventional bicycles? Can't they accelerate from a stopped-position much faster?

To operate an e-bike on Ontario's public roads, the following vehicle safety and operator requirements are in place:

- E-bike must not weigh more than 120 kg (includes the weight of bike and battery).
- All operators and passengers must be at least 16 years of age.
- All operators and passengers must wear an approved bicycle or motorcycle helmets.
- All electrical terminals must be completely covered.
- Two independent braking systems consistent with requirements for motorcycles and motor-assisted bicycles (mopeds) that applies force to each wheel and is capable of bringing the e-bike, while being operated at a speed of 30 km/h, to a full stop within 9 metres from the point at which the brakes were applied.
- The minimum wheel width or diameter shall not be less than 35mm/350mm.
- No modifications to the motor to allow it to exceed a power output greater than 500W and a speed greater than 32 km/h.
- The battery and motor must be securely fastened to the vehicle to prevent them from moving while the e-bike is operating.

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### 7. Am I allowed to modify my e-bike so it can go faster than 32 km/h?

No. Modifying your e-bike for the purposes of increasing its speed beyond 32 km/h will no longer qualify it as an e-bike. Motor-assisted bicycle (moped) and/or limited-speed motorcycle (LSM) requirements such as licensing, registration and insurance may then apply.

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## 8. My e-bike weighs more than 120 kg. Am I allowed to operate this vehicle in Ontario?

Currently, only e-bikes weighing 120 kg and under are allowed to be operated on Ontario's public roads as e-bikes. A weight greater than 120 kg will no longer qualify as an e-bike. Limited-speed motorcycle (LSM) requirements such as licensing, registration and insurance may then apply.

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## Operating Requirements

### 9. What do I need to operate an e-bike?

To operate an e-bike:

- No driver's licence is required
- No written test is required
- No vehicle registration or plate is required
- No motor vehicle liability insurance is required
- All operators/riders/passengers must be 16 years of age and older.
- All persons operating an e-bike are required to wear an approved bicycle or motorcycle helmet.

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### 10. Why is there an age restriction?

Even though power-assisted bicycles are treated as bicycles, they are generally heavier, can travel at a maximum speed of 32 km/hr and require additional physical strength to safely manage.

Currently, eight Canadian jurisdictions (British Columbia, Alberta, Saskatchewan, Manitoba, Quebec, Nova Scotia, Newfoundland and Labrador and the Yukon Territory) have legalized power-assisted bicycles for public road use and are treating these vehicles as conventional bicycles and not as motor vehicles. Of these eight jurisdictions, four have a minimum age requirement - the requirement is 12 years in Alberta, 14 in Manitoba and 16 in British Columbia and Quebec.

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### 11. What are the rules for wearing a helmet?

Anyone operating or riding on an e-bike is required to wear an approved bicycle or motorcycle helmet. There are no age exemptions.


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## 12. On what roads can an e-bike travel?

E-bikes are allowed to travel anywhere bicycles are permitted to travel. Any municipal by-law prohibiting bicycles from highways under their jurisdiction also apply to e-bikes. Municipalities may also pass by-laws specific to e-bikes that prohibit them from municipal roads, sidewalks, bike paths, bike trails, and bike lanes under their jurisdiction.


E-bikes, like bicycles, **are not** allowed on controlled-access highways such as 400 series highways, the Queen Elizabeth Way, the Queensway in Ottawa or the Kitchener-Waterloo Expressway, or on municipal roads, including sidewalks where bicycles are banned under municipal by-laws.

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## 13. If my driver's licence has been suspended, can I legally operate an e-bike?


It depends on the particular circumstances that lead to the licence suspension. If your driver's licence suspension was related to a conviction under the Criminal Code of Canada, you cannot legally operate an e-bike. If your driver's licence has been suspended under these or other circumstances, it is recommended that you discuss your situation with a licensed legal practitioner before deciding to operate an e-bike.

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## 14. Am I allowed to carry passengers on my e-bike?

Under the Highway Traffic Act, section 178(2), passengers are not allowed on a bicycle designed for one person.

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## E-bikes and Limited-Speed Motorcycles (LSM)

### 15. What are the safety differences between a scooter-style e-bike and a limited-speed motorcycle (LSM)?

A scooter-style e-bike does not have to meet any federal safety standards and can reach a maximum speed of 32 km/h. Limited-speed motorcycles (LSMs) must meet several federal safety standards and can attain a maximum speed of 70 km/h; the maximum speed for a moped is 50 km/h.

Unlike LSM and moped operators, operators of scooter-style e-bikes do not require licensing, insurance and registration.

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## 16. How can I visually tell the difference between a scooter-style e-bike and an LSM?

E-bikes may resemble conventional bicycles, or resemble scooters and limited-speed motorcycles. However some key visual differences do exist:

- Unlike LSMs, the definition of an e-bike requires that it be equipped with pedals.
- LSMs are required to be registered and plated whereas e-bikes are neither required to be registered or fitted with a licence plate.
- E-bikes are required to bear a label that is permanently affixed by the manufacturer and appears in a conspicuous location stating, in both official languages, that the vehicle is a power-assisted bicycle as defined federally.
- The easiest way to identify if your vehicle is a limited-speed motorcycle is by the label. The label is usually fastened to the steering column or under the seat. Look beside "type of vehicle" and it will say LSM/MVL. All newer models of LSMs and mopeds have a label for ease of identification.
  - If the vehicle was manufactured **on, or after**, September 1, 1988, it must have affixed a compliance label required under the Federal Motor Vehicle Safety Act (Canada) that identifies the motor vehicle as a limited-speed motorcycle.
  - If the vehicle was manufactured **before** September 1, 1988 and does not have a label, you will be able to identify it as a limited-speed motorcycle by the following:
    - Electric or gas powered
    - Maximum speed of 70 km/h
    - Automatic transmission
    - Has a "step through" vehicle design
    - Maximum engine displacement of 50 cubic centimetres or less.

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## 17. What does an e-bike label say?

### Sample label

**THIS VEHICLE IS A POWER  
ASSISTED BICYCLE AND  
MEETS ALL THE  
REQUIREMENTS UNDER  
SECTION 2(1) OF THE  
CANADA MOTOR VEHICLE  
SAFETY REGULATIONS.**

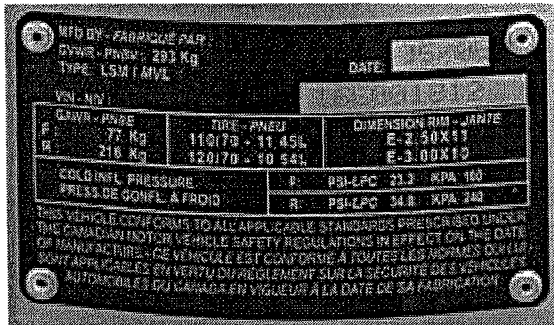
**CE VÉHICULE EST UNE BICYCLETTE  
ASSISTÉE ET RECONTRE LA NORME 2(1)  
DU RÈGLEMENT SUR LA SÉCURITÉ  
DES VÉHICULES AUTOMOBILES DU CANADA.**

Manufacturers of e-bikes must permanently affix a label, in a conspicuous location, stating in both official languages that the vehicle is a power-assisted bicycle as defined in the regulations under the federal Motor Vehicle Safety Act.

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## 18. What does an LSM compliance label look like?

### Sample label



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## 19. Why are LSM and moped operators required to be licensed but operators of scooter-style e-bikes are not?

For the purposes of the Highway Traffic Act (HTA), e-bikes are considered bicycles and therefore do not require operators to be licensed.

Furthermore, the maximum speed of a limited-speed motorcycle (LSM) is 70 km/h and for a moped is 50 km/h compared to an e-bike, which can reach a maximum speed of only 32 km/h. Primarily because of the higher level of speed that can be reached, the ministry is requiring operators of limited-speed motorcycles and mopeds to participate in the provincial graduated licensing system while operating these motor vehicles, in order to ensure road safety for Ontarians.

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## Costs and Batteries


### 20. How much do e-bikes cost?

E-bikes usually retail for between \$1,000 and \$2,800 in Ontario.

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**21. How far can I travel on a single charge of the battery?**


On power-assist mode, one charge can provide traveling distance of 20-100 km, depending on the terrain and the model.

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**22. How long will the battery last before I have to buy a new one?**

The life cycle of the battery is up to 500 charges.


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## Enforcement

**23. What is the ministry doing to ensure that law enforcement is accurately informed about the e- bike rules of the road and regulations?**

The ministry has communicated and advised traffic enforcement officers, through the Ministry of Community Safety and Correctional Services, on the e-bike regulations and relevant rules of the road under the Highway Traffic Act.


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**24. If a police officer stopped someone who was drunk while driving an e-bike, how would they be charged? Would this be a Criminal Code offence or an HTA offence?**

Drinking and driving a motor vehicle is a Criminal Code offence and charges are laid under the Criminal Code of Canada. Under the Criminal Code, the definition of a "motor vehicle" would include an e-bike and anyone operating an e-bike intoxicated could be charged for impaired driving. If convicted, the offender would be subject to the Criminal Code penalties, including a fine or jail time, and a driving prohibition.

Under the Highway Traffic Act, an e-bike is not classified as a motor vehicle, so penalties for impaired driving under the Act would not apply.

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**25. Are the fines for e-bike offences the same as bicycle offences?**

Yes. All the set fines established for violating rules of the road and equipment standards that apply to bicyclists apply to drivers of e-bikes.

For example:

<b>Offence</b>	<b>HTA Section - Bicycle*</b>	<b>Set Fine</b>	<b>Court Fee</b>	<b>Victim Fine</b>	<b>Total</b>
Improper lighting	62(17)*	\$ 20.00	\$ 5.00	\$ 10.00	\$ 35.00
Improper brakes	64(2)	\$ 85.00	\$ 5.00	\$ 20.00	\$ 110.00
No bell or defective bell	75(5)	\$ 85.00	\$ 5.00	\$ 20.00	\$ 110.00
Fail to wear proper helmet	104(2.1)*	\$ 60.00	\$ 5.00	\$ 20.00	\$ 85.00
Disobey stop sign, fail to stop	136(1)(a)	\$ 85.00	\$ 5.00	\$ 20.00	\$ 110.00
Red light - fail to stop	144(18)	\$ 150.00	\$ 5.00	\$ 25.00	\$ 180.00
Careless driving	130	\$ 260.00	\$ 5.00	\$ 60.00	\$ 325.00
Fail to yield to pedestrian	140(1)(a)	\$ 85.00	\$ 5.00	\$ 20.00	\$ 110.00
Drive wrong way - one way traffic	153	\$ 85.00	\$ 5.00	\$ 20.00	\$ 110.00
Bicycle - fail to turn out to right when overtaken	148(6)*	\$ 85.00	\$ 5.00	\$ 20.00	\$ 110.00
Cyclist - ride in or along crosswalk	144(29)*	\$ 85.00	\$ 5.00	\$ 20.00	\$ 110.00
Cyclist - fail to stop or to identify self	218(2)*	\$ 85.00	\$ 5.00	\$ 20.00	\$ 110.00
Ride 2 on a bicycle	178(2)*	\$ 85.00	\$ 5.00	\$ 20.00	\$ 110.00

\*HTA offences specific to the operation of bicycles and to bicyclists

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## **26. If I get stopped by a police officer while riding my e-bike, do I need to show ID?**

Under the Highway Traffic Act, section 218, cyclists must stop and identify themselves when required to stop by police for breaking traffic laws. The police officer will ask you for your correct name and address.

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## **27. Will municipalities be able to pass by-laws to prohibit e-bikes?**

Yes. Municipalities have the ability to prohibit where e-bikes may travel and may do so at their own discretion.

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## **Questions about the E-bike pilot**


### **28. How was the pilot evaluated? What were the outcomes of the e-bike pilot?**

During its e-bike pilot evaluation, the province had requested, and received, feedback from various stakeholders including environmental groups, bicycling groups, e-bike retailers, manufacturers, importers, law enforcement, municipalities, safety advocates, and other ministries. The feedback had been, for the most part, encouraging and positive. Based on the results, we were confident in proceeding with legislative amendments in Bill 126, the Road Safety Act, 2009 that reflected the pilot's operating requirements. However, many stakeholders did share concerns involving the safe integration of scooter-style e-bikes because of their size, weight and mode of operation.

Specific stakeholder concerns included the reported ease with which an e-bike's maximum speed can be increased through modifications, the absence of standards/requirements for e-bike electrical components, and heavier e-scooter bikes sharing roads and bicycle paths with pedestrians and cyclists, given that some models are much heavier, wider, and longer than regular bicycles.

The positive feedback and common safety concerns were reinforced through multiple subsequent consultations: the Legislature's Standing Committee on General Government held public hearings on Bill 126 including e-bike items; MTO held consultations with external and inter-ministerial stakeholders in June 2009; and the public were invited to submit comments on potential regulatory e-bike equipment/operating requirements under consideration to address e-bike safety concerns through postings on the Regulatory Registry and the Environmental Bill of Rights Registry.


Therefore, based on MTO's evaluation and substantial consultations, additional safety feature requirements for e-bikes, based on Best Practices issued by the Canadian Council of Motor Transport Administrators, were implemented.

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## **29. Why are we permitting e-bikes on public roads but not pocket bikes?**

E-bikes are powered by an electric motor and muscular power, and have zero emissions. Pocket bikes are small, powerful motorcycles that are gas-powered with the same rate of emissions as larger motorcycles. E-bikes have been legalized for public roads in eight other Canadian jurisdictions and have a record of safety. Pocket bikes, because of their low profile (about two feet in height), their high rate of speed (can reach 70 km/hr), and lower equipment standards are unsafe vehicles to be driven on public roads.

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## COMMUNITY SERVICES COMMITTEE

Monday, November 7, 2011

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**Chairperson:** Councillor Lawlor  
**Vice-Chair:** Councillor Mendicino  
**Member:** Councillor Vaillancourt  
**Ex-Officio:** Mayor McDonald

- CS-2001-35 Rezoning applications by Consolidated Homes Ltd. – Golf Club Road (D14/2001/CHLTD/GOLFCLUB).
- CS-2003-37 Condominium application by Rick Miller on behalf of New Era Homes Ltd. - McKeown Avenue (D07/2003/NEHL/ MCKEOWN).
- CS-2004-29 Rezoning and Plan of Subdivision applications by Rick Miller on behalf of Grand Sierra Investments Ltd. - Sage Road (D12/D14/2003/GSIL/ SAGERD).
- CS-2011-04 Motion moved by Councillor Mayne on January 24, 2011 re Designated Off-Leash Dog Area (R00/2011/PARKS/DOGPARK).
- CS-2011-16 Plan of Subdivision application by Miller & Urso Surveying Inc. on behalf of 873342 Ontario Inc. (Kenalex Development Inc.) - Phase II, Trillium Woods Subdivision (Booth Road) (D12/2011/KENAL/BOOTHRD2).

**ENGINEERING & WORKS COMMITTEE**

Monday, November 7, 2011

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**Chairperson: Councillor Vrebosch-Merry**

**Vice-Chair: Councillor Mayne**

**Member: Councillor Bain**

**Ex-Officio: Mayor McDonald**

EW-2010-03

Report from A. Korell/J. Houston dated March 26, 2010 re Kate Pace Way west end bike route connection between Memorial Drive and Gormanville Road (R05/2010/KPWTR/WESTENDR).



## ITEMS REFERRED BY COUNCIL FOR A REPORT

<u>DATE</u>	<u>ITEM</u>
March 29, 2005	Backflow Prevention Program survey of all industrial, commercial and institutional buildings <b>(due September 2005)</b> .
April 28, 2008	Ways to assist the hospitals with making further appeals to the Province for financial assistance with the infrastructure cost increases.
September 21, 2009	Review, update and consolidation of Noise By-Law <b>(due June 30, 2010)</b> .
March 8, 2010	Comprehensive Long-Term Financial Plan <b>(due April 30, 2010)</b> .
May 3, 2010	Track the net financial benefits created through increased assessment as a result of the Airport Industrial Community Improvement Plan sites being developed.
June 28, 2010	On completion of Tender 2010-74 (Lakeshore Drive Outdoor Sports Complex Phase V - Completion of fields and associated appurtenances), a summary of the total cost of the project and funding sources.
December 30, 2010	Quarterly report on progress of WSIB appeal, error corrections and cost projections for 2011.
January 24, 2011	Comprehensive review of City owned Lake Nipissing accesses.
July 4, 2011	Comprehensive Status Report relating to BCIP <b>(due July 2014)</b> .
August 2, 2011	Review of smoking at City facilities and commercial establishment patios.
August 15, 2011	Effectiveness of the Residential Rental Housing By-Law <b>(due May 2013)</b> .