

Ontario Cargo e-Bike Pilot Program: Guidelines for Municipalities

Increasing options for businesses to meet delivery demands
March 2021

Ontario has created a five-year pilot framework for permitting the use of larger cargo power-assisted bicycles (cargo e-bikes) on Ontario roads, should municipalities choose to allow their use within their municipal boundaries.

Municipalities that want to allow cargo e-bikes to operate on their roads must pass by-laws to permit their use and may set out specific requirements, based on what is best for their communities.

Municipalities may also inform the Ministry of Transportation that they are participating in the pilot by sending a notification to SPDB@ontario.ca.

The Province has established the broad regulatory framework for cargo e-bikes. This includes the following vehicle and operating requirements:

Provincial Requirements

Provincial Vehicle Requirements

The vehicle is a pedal-driven bicycle of conventional exposed fork-and-frame bicycle design and appearance that:

- has two or three wheels
- is fitted at all times with pedals that are always operable to propel the bicycle
- has a platform, basket or container for carrying cargo, parcels or goods
- has steering handlebars
- has a width not exceeding 1.3 meters
- has a length not exceeding 4 meters
- has a height not exceeding 2.2 meters
- has wheels that have a width of not less than 35 millimeters and a diameter of not less than 350 millimeters

- does not have any structure that fully encloses the occupant area
- has an electric motor with a continuous rated output power not exceeding 1000 watts that is incapable of providing propulsion assistance when the motor vehicle attains a speed of 32 kilometres per hour or more

Provincial Operating Requirements

- No drugs or alcohol permitted when operating a cargo e-bike (consequences under the Criminal Code of Canada may apply)
- Where permitted, the vehicle must be operated in the bicycle lane or to the right-most side of the roadway
- Operator must be age 16 or over
- Not permitted to tow devices or vehicles
- Not permitted to carry dangerous or hazardous goods
- Not permitted to leave the vehicle in a location that is intended for the passage of vehicles or pedestrians (i.e., bicycle lane or sidewalk)
- Helmets are required for all riders regardless of age
- Passengers are permitted if the passenger is using a seat designed for passenger use that is manufactured for the vehicle
- When operated at a time (i.e., night-time or in poor weather) where persons and vehicles are not clearly discernible at a distance of 150 metres or less, cargo e-bikes must carry a lighted lamp displaying a white or amber light at the front and a lighted lamp displaying a red light at the rear (must be affixed to the vehicle, not the operator)

Municipal Considerations

Municipal Operating Parameters

Municipalities that want to allow cargo e-bikes to operate within their boundaries may wish to consider the below:

- Developing operating parameters for cargo e-bike companies and operators.
- Whether cargo e-bikes may be allowed to operate on sidewalks – sidewalks are for pedestrians, and operators should be considerate of persons with disabilities and/or limited mobility. Municipalities may wish to clearly communicate with companies about their expectations and requirements around contracts, business licences, operating agreements, etc.

Municipalities to consider:

- What are the most appropriate mechanisms to monitor, track and report on the use of cargo e-bikes under the pilot, including collisions?
- Where should cargo e-bikes be allowed to travel (e.g., bicycle lane, on roadways, bike paths, etc.)?
- A limit on the number of cargo e-bikes allowed in certain areas to combat congestion?
- How will cargo e-bikes integrate with other road users (e.g., pedestrians, cyclists, and people using personal mobility devices)?
- Whether a visible numerical identifier may be required for each vehicle in use?
- What contractual terms are required for commercial operators to provide data (such as GPS coordinates) to municipalities?
- Where and when should vehicles be permitted to stop/park for deliveries?
- What mechanism is in place for citizens to provide feedback or complaints (i.e., surveys or use of 311 lines)?
- How to ensure training for operators to meet all Occupational Health and Safety Act requirements?

Parking

The pilot program requires cargo e-bikes to be parked within spots for motor vehicles as these vehicles are not permitted to stop in places of passage for motor vehicles or pedestrians. In addition, municipalities may wish to consider clearly defining where cargo e-bikes can park (e.g., setting up designated parking locations). Designated parking locations provides control over their use and reduces interference with the public.

Municipalities may consider:

- Should there be overnight responsibility for cargo e-bike parking non-compliance.
- Who may receive the penalty if a cargo e-bike is not parked in a designated location.
- What penalty structure should apply if a cargo e-bike is not parked in a designated location?

Liability

Municipalities may consider:

- What are the possible options for commercial cargo e-bike companies to indemnify the municipality and hold appropriate insurance requirements with a distinction in insurance coverage required for commercial cargo e-bikes?
- What is the possible appropriate insurance coverage for commercial cargo e-bikes - the type and coverage amount?

Offences

Similar to bicycles, *Highway Traffic Act* (HTA) rules of the road apply to the operation of cargo e-bikes in Ontario. Penalties in HTA s. 228(8) also apply to violations of the pilot regulation (fine of \$250 to \$2,500). By-law offences may also apply. There are serious consequences for a cargo e-bike operator impaired by drugs, alcohol or both under the *Criminal Code of Canada*.

Data Collection

The Ministry of Transportation (MTO) requires data from municipalities to evaluate this pilot and determine any potential amendments required, if needed. Municipalities are required to provide information to the ministry if a municipal by-law is enacted to permit the use of cargo e-bikes on any roads within the municipality during the term of the pilot.

MTO will be evaluating the road safety impact of the pilot program and will require accurate and reliable data on all cargo e-bike collisions to do this effectively. Collisions, as defined in the Highway Traffic Act (HTA), must be reported using the Motor Vehicle Collision Report (MVCR) form (SR-LD-401) or an electronic collision data system when a reportable collision involving a cargo e-bike occurs. Collisions involving cargo e-bikes that do not meet the criteria of a reportable collision should be documented using your jurisdiction's incident reporting procedures. Municipalities are required to remit incident/collision and injury-related data to the province.

More Information

This document is a guide only. For official purposes, please refer to the Ontario Highway Traffic Act and its regulations. For more information, please visit [Ontario.ca/MTO](https://www.ontario.ca/MTO).