

Proposed Text of a Bylaw to amend Bylaw 26M96, the Calgary Traffic Bylaw

1. Bylaw 26M96, the Calgary Traffic Bylaw, as amended, is hereby further amended.

2. In section 2:

(a) the following is added after subsection 2(1)(o.1) as subsection 2(1)(o.2):

“(o.2) “e-scooter” means an electric-powered vehicle:

- (i) that has been authorized or granted a permit to operate on the *street* by the Province of Alberta;
- (ii) consisting of a footboard mounted on two or three wheels and a long steering handle;
- (iii) is designed to be operated from a standing position; and
- (iv) while capable of being propelled by muscular power, may be propelled by one or more electric motors;”

(b) subsection 2(1)(ak.2) is deleted and replaced with the following:

“(ak.2) “scooter” means a vehicle:

- (i) consisting of a footboard mounted on two or three wheels and a long steering handle;
- (ii) propelled by resting one foot on the footboard and pushing the other against the ground; and
- (iii) is designed to operate from a standing position;”

3. In section 29:

(a) the following is added after subsection 29(5) as subsection 29(6):

“(6) A person must not park a vehicle on a sidewalk or boulevard except for bicycles or e-scooters.”

4. In section 36.2:

(a) subsection 36.2(3)(c) is deleted and replaced with the following:

“(c) a scooter or e-scooter;”

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(b) subsection 36.2(4.1) is deleted and replaced with the following:

“(4.1) A person operating a motor vehicle on a roadway must yield the right of way to a person riding or using a bicycle, skateboard, scooter, e-scooter, in-line skates or roller skates within an exclusive bicycle lane.”

5. In section 41.1:

(a) subsection 41.1(1) is deleted and replaced with the following:

“(1) The Traffic Engineer may designate crosswalks upon which a person may ride or operate a bicycle, skateboard, scooter, e-scooter, in-line skates or roller skates to cross the roadway.”

(b) subsection 41.1(3)(ii) is deleted and replaced with the following:

“(ii) a person riding or using a bicycle, skateboard, scooter, e-scooter, in-line skates or roller skates;”

(c) subsections 41.1(4)(ii) is deleted and replaced with the following:

“(ii) a person riding or using a bicycle, skateboard, scooter, e-scooter, in-line skates or roller skates.”

6. In section 42:

(a) subsections 42(6), (6.1) and (6.2) are deleted and replaced with the following:

“(6) Despite subsection (1), a person may use in-line skates, roller skates, a scooter, e-scooter, or a skateboard on a sidewalk.

(6.1) Despite subsection (6), a person must not use in-line skates, roller skates, a scooter, e-scooter, or a skateboard on a sidewalk if the Traffic Engineer has posted a traffic control device indicating that skateboarding, scooters, e-scooters, in-line skates or roller skates are not allowed on the sidewalk of the block in which the traffic control device is posted.

(6.2) A person using in-line skates, roller skates, a scooter, e-scooter, or a skateboard on a sidewalk must not use the in-line skates, roller skates, a scooter, e-scooter, or a skateboard that interferes with another user of the sidewalk.”

(b) the following is added after subsection 42(6.2) as subsections 42(6.3), (6.4), (6.5) and (6.6):

“(6.3) A person using in-line skates, roller skates, a scooter, e-scooter, or a skateboard on a sidewalk shall operate the vehicle as near as practicable to the edge of the roadway unless that person is in the process of crossing to an intersecting roadway, pathway or sidewalk.

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- (6.4) A person who is operating an e-scooter must not carry any passengers on the e-scooter.
- (6.5) A person who is operating an e-scooter must ensure that they do so in a manner to avoid collision with another user of the sidewalk or street.
- (6.6) A person must not operate an e-scooter in a reckless manner, having regard to the circumstances.”

(c) the following is added after subsection 42(7) as subsection 42(8):

- “(8) A person driving a vehicle that is about to enter:
 - (a) onto a roadway from an alley or driveway; or
 - (b) into an alley or driveway;shall yield the right of way to an e-scooter on the sidewalk or pathway.”

7. In section 44:

(a) subsection 44(3) is deleted and replaced with the following:

- “(3) Subject to subsection 36.2(3), a person must not operate or use a skateboard, scooter, e-scooter, in-line skates or roller skates on a roadway, except:
 - (a) while crossing such roadway on a crosswalk or multi-use crossing; or
 - (b) while crossing an intersection between exclusive bike lanes.”

(b) the following is added after subsection 44(3) as subsections 44(4) and (5):

- “(4) To cross a roadway at a crosswalk, a person using an e-scooter must either dismount and cross the roadway as a pedestrian, or must:
 - (a) stop and yield to any vehicle or pedestrian on the roadway or crosswalk before beginning to cross, and
 - (b) begin to cross where there is a pedestrian traffic control signal that shows the word or symbol indicating “WALK”, or
 - (c) begin to cross where there is no pedestrian traffic control signal and where there is a traffic control signal showing a green light alone.
- (5) A person riding an e-scooter that is about to enter onto a roadway from a pathway or a sidewalk must, unless otherwise indicated by a traffic control device, yield to any vehicle or pedestrian on the roadway.”

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8. In section 59:

(a) the following is added after section 59.2 as section 59.3:

“59.3 (1) In regards to an e-scooter, “owner” includes any person or corporation who has been issued a permit pursuant to this bylaw for e-scooter share operations.

(2) If an e-scooter is involved in an offence under the bylaw, the owner of that e-scooter, is guilty of that offence.

(3) Notwithstanding subsection (2), the operator of the e-scooter may be liable for any offences involving the operation of that e-scooter.

(4) Subsection (2) does not apply if the owner of the e-scooter satisfies the Court that the owner was not operating the e-scooter at the time of the offence, and that the person who was operating the e-scooter at the time of the offence did so without the owner’s express or implied consent.”

9. In Schedule “A”, under the headings indicated, the following is deleted:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1 (if paid within 10 days after the date of the offence)	EARLY PAYMENT AMOUNT 2 (if paid 10 to 30 days after the date of the offence)	SPECIFIED PENALTY
“42(6.1)	Use skates, scooter or skateboard on sidewalk where prohibited			\$75.00
42(6.2)	Use skates, scooter or skateboard on sidewalk in a manner that interferes with a pedestrian			\$150.00”

and replaced with:

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SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1 (if paid within 10 days after the date of the offence)	EARLY PAYMENT AMOUNT 2 (if paid 10 to 30 days after the date of the offence)	SPECIFIED PENALTY
42(6.1)	Use skates, scooter, e-scooter or skateboard on sidewalk where prohibited			\$75.00
42(6.2)	Use skates, scooter, e-scooter or skateboard on sidewalk in a manner that interferes with another user of the sidewalk			\$150.00
42(6.4)	Carrying passenger on an e-scooter			\$75.00
42(6.5)	Colliding with another user of the sidewalk or street			\$400.00
42(6.6)	Operating in a reckless manner, having regard to the circumstances			\$400.00”

10. This Bylaw comes into force on [date].