

HALIFAX

Segway Access to Point Pleasant Park

Point Pleasant Park Advisory Committee

May 5, 2016

Request

Seeking input from the Point Pleasant Park Advisory Committee on a request by Max Rastelli, Owner of Segway Nova Scotia, for permanent access to all major trails (not hiking trails) in Point Pleasant Park for Segways. As well, Segway Nova Scotia is requesting access during weekends and holidays.

Legislative Authority

- By-law P-600 By-law Respecting Municipal Parks
Vehicles in Parks

10. (1) No person shall operate any vehicle within a park except wheelchairs, bicycles, Municipal or utility vehicles, unless otherwise posted, or by permission.

10. (3) No person shall ride a horse or a bicycle within a park where a sign prohibiting the same has been posted.

14. Any permission required pursuant to this By-law shall be given by the Director (Parks & Recreation) in writing.

- Terms of Reference for the Point Pleasant Park Advisory Committee

Mission and Mandate

To advise on park-related by-laws and regulations.

Background

- By-law P-600 Respecting Municipal Parks states that no person shall operate any vehicle within a park except wheelchairs, bicycles, Municipal or utility vehicles, unless otherwise posted, or by permission by the Director (Parks & Recreation).
- Segway Nova Scotia received approval from HRM on two occasions for Segway access to Point Pleasant Park as part of a pilot project with the Province of Nova Scotia (August 20, 2012 to September 7, 2012; and June 6, 2015 to January 2016).
- In December of 2015, the Provincial Legislature passed legislation that authorizes and regulates the use of Personal Transporters on both sidewalks and roadways in Nova Scotia, based on the results of a pilot project that the NS Department of Transportation and Infrastructure Renewal conducted over the last two years. The legislation was never proclaimed into law, as it was pending the completion of the pilot project. HRM received notification that the pilot project was completed on January 31, 2016, and, pending acceptance of a final evaluation report, the proposed amendments were proclaimed into law effective May 1, 2016.

Personal Transporters(Segways) Fact Sheet

Personal transporters

- are self-balancing electric vehicles with two side-by-side wheels
- are designed for the personal transportation of a single person
- must be equipped with a bell or horn
- must have a light

Personal transporter users must

- wear a helmet
- stand when in motion
- ride in single file
- not tow another person or device

Personal Transporters(Segways) Fact Sheet (continued)

- No license to operate a personal transporter is required. You must be 16 years of age to operate, or 14 if on a tour with parental consent.
- Personal transporter will be permitted to be used on sidewalks at a speed no greater than 7 km/hour. They must yield to pedestrians.
- If no sidewalk is available, personal transporter users will be permitted in bicycle lanes at a speed no greater than 20 km/hour. They must yield to bicycles and motor vehicles.
- If no sidewalk and no bicycle lane are available, personal transporter users may travel on highways and roads with speed limits no greater than 60 km/hour. They must travel to the right of the roadway and follow same requirements as a bicycle/cyclist.
- Municipalities may prohibit use of personal transporters on municipal sidewalks and roadways.
- Personal transporters are not required to be insured. The Insurance Bureau of Canada indicates that at this time, personal transporters for individual use are not covered by homeowner's or tenant's insurance. An individual would have to talk to their insurer to determine options for liability coverage.

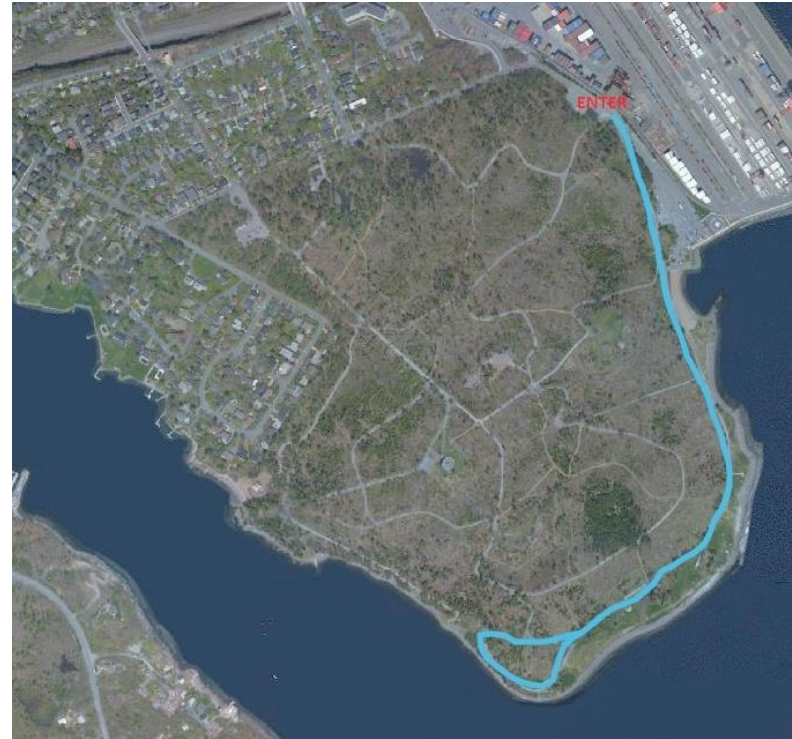
Previous Conditions of Approvals

HRM supported the Segway pilot project on two occasions, subject to the following conditions:

- Safety practices as outlined in Segway Nova Scotia's proposal had to be in place (mandatory helmets, speed control, etc.).
- Insurance in the amount of \$5 Million and indemnification of HRM had to be forwarded to HRM.
- Tours had to originate from the Halifax Waterfront, no trailer was permitted to be located at the Park, and no training was to take place at the Park.
- HRM reserved the right to cancel the pilot project at any time without exception.
- No advertising was permitted in Point Pleasant Park.
- Any complaints were to be forwarded to Segway Nova Scotia for response.
- A final report on the pilot project, outlining the number of users, any accidents or issues and complaint resolutions, etc., was to be submitted to HRM.
- During the trial period, Segways were only permitted on weekdays. Segways were not permitted in the Park on weekends, holidays or special events.

Route for Previous Approvals

Route (see map): Enter at Shakespeare by the Sea building, proceed along Sailor's Memorial Way, loop around the Point Pleasant Summerhouse, and back out along Sailor's Memorial Way. This is approximately 2.5 kms. Only along Sailor's Memorial Way after 10 a.m.



Segway Pilot Project Final Report

Excerpt from Segway Nova Scotia letter dated January 6, 2016

“I am pleased to inform all concerned that, during the two-year pilot project, we had an estimated 1,000 Segway riders go through Point Pleasant Park via Sailor’s Memorial Way. We have no incidents to report and, as far as we know, there was no formal complaints by other users of the park.”

Benefits to allowing permanent access for Segways

Segway Nova Scotia provided the following benefits in support of their request to allow permanent access for Segways in Point Pleasant Park:

- Through guided tours, creating new tourism opportunities by sharing the cultural heritage of Point Pleasant Park;
- Offering a new, non-intrusive amenity, and a unique, eco-friendly, fun, quiet, safe activity for visitors and users of Point Pleasant Park;
- Creating an opportunity for people with mobility issues to experience and enjoy Point Pleasant Park;
- Enhancing the quality of visitors' experiences;
- Creating an opportunity for Park Patrol staff to use Segways to patrol the park and enforce rules.

Weekends and Holidays

- Point Pleasant Park is considered a “stroll” park.
- As noted on signage posted throughout Point Pleasant Park, bicycles are not permitted in the Park on the weekends and on holidays. On December 16, 2015, Halifax and West Community Council passed a motion requesting a staff report examining the possibility of weekend bicycle access to Point Pleasant Park. That report is anticipated to be tabled with Community Council in the next couple of months.

Proposed Way Forward

Permit Segway Nova Scotia tours in Point Pleasant Park on a permanent basis, subject to the following conditions:

- Safety practices as outlined in the new Provincial regulations must be in place, including but not limited to mandatory helmets, speed control, Segways must be equipped with a bell or a horn and must have a light, and operators have to be at least 16 years (or 14 if on a tour with parental consent).
- Insurance in the amount of \$5M and indemnification of HRM which shall be forwarded to HRM.
- Tours are to originate from the Halifax Waterfront.
- No trailers are to be located in Point Pleasant Park.
- No training is to take place in Point Pleasant Park.
- No advertising is permitted in Point Pleasant Park.
- Any complaints are to be forwarded to Segway Nova Scotia for response.

Proposed Way Forward (continued)

- Access be permitted on weekdays only. Segways are not permitted in the Park on weekends, holidays or special events.
- Access will be permitted along Sailor's Memorial Way only after 10 a.m.
- Same route as for pilot project.

Next Steps

- Director to respond to Segway Nova Scotia's request in writing.
- Pending the outcome of the report to Halifax and West Community Council, reconsider the possibility of:
 - permitting Segway Nova Scotia tours in Point Pleasant Park on the weekend and holidays.
- Consider permitting Segways (personal use) in Point Pleasant Park with the same privileges as bicycles (as part of a review of By-law P-600 later this year).