



URBAN TRANSPORT GROUP

Consultation response

e-scooters

Transport Committee

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1. Introduction

- 1.1. The Urban Transport Group (UTG) represents the seven largest city region strategic transport bodies in England, which, between them, serve over twenty million people in Greater Manchester (Transport for Greater Manchester), London (Transport for London), the Liverpool City Region (Merseytravel), Tyne and Wear (Nexus), the Sheffield City Region (South Yorkshire Passenger Transport Executive), the West Midlands (Transport for West Midlands) and West Yorkshire (West Yorkshire Combined Authority).
- 1.2. We also have the following associate members: Tees Valley Combined Authority, Strathclyde Partnership for Transport, West of England Combined Authority (WECA) and Nottingham City Council.
- 1.3. Our members plan, procure, provide and promote public transport in Britain's largest city regions, with the aim of delivering integrated transport networks accessible to all.

2. Overview

- 2.1. In the new context of COVID-19, e-scooters could offer an additional socially distanced transport option which has the benefit of being zero emission and space efficient.
- 2.2. The legislation for e-scooters is undoubtedly in need of review, not least because it is currently legal to buy an e-scooter, but not to use it anywhere but on private land with permission.
- 2.3. We welcome the Government's ongoing work in this respect in the form of its Future of Transport Regulatory Review as well as the recently announced e-scooter rental trials which should assist in informing any later changes to the law.
- 2.4. The UK is also in an enviable position in that it can learn from the wealth of experience accumulated internationally, learning from both best practice and the mistakes made elsewhere.
- 2.5. Should e-scooters be legalised, it will be important that safety, both for riders and for other road users, is placed first and foremost. Speed should be limited to 12.5mph, mandatory training introduced, and use should be restricted to cycleways and roads. Their potential introduction should form part of wider moves to improve infrastructure for cycling, separating people from cars wherever possible to make cycling (and, by extension, e-scooters) attractive and accessible to as many people as possible.
- 2.6. Careful consideration should also be given to the potential health impacts of legalisation. Evidence from cities around the world suggests that e-scooters are most likely to be used to replace trips that would otherwise have been walked or cycled.
- 2.7. Any moves to legalise e-scooters should be designed to support agile and devolved governance, offering city and transport authorities the opportunity to ensure that e-scooters are introduced in a way that supports – rather than frustrates – wider strategic policy goals for their people and places (including around public health). Required powers range from the ability to cap numbers of rental e-scooters to the need for rental companies to share their data to aid wider network planning.



- 2.8. At national level, the Government would need to set consistent standards around vehicle build and rules for use, including where e-scooters may be ridden and what protective equipment is required. Clarity is also needed as to how rules and standards will be effectively enforced.

3. Response

Is legislation for e-scooters up-to-date and appropriate?

- 3.1. E-scooters are not currently legal to ride on public roads, pavements or cycle lanes. They can only be used on private land, with the landowner's permission. However, it is legal to buy or sell an e-scooter. This inconsistency has led to confusion and has meant that e-scooters have increasingly been seen in use on the streets of our towns and cities, despite this being illegal. In some cases, this may be deliberate flouting of the law, in others, it may be that people assume that if they can legally buy an e-scooter, they can use it on the road. Widespread use of e-scooters across the globe adds to the feeling that UK law is behind the curve.
- 3.2. Conversely, the fact that e-scooters are illegal has been of benefit in that UK cities have not been deluged with sudden influxes of e-scooter rental companies as has been the case in numerous cities in Europe and further afield. These cities have often found themselves on the back-foot, having to introduce legislation and regulations reactively to curb negative impacts ranging from streets cluttered with discarded rental scooters to road safety concerns.
- 3.3. We welcome the Government's approach of reviewing existing regulations (via the Future of Transport Regulatory Review) and, more recently, acting to bring forward trials to learn lessons from real-world testing before implementing any changes in the law.
- 3.4. Should e-scooters be legalised, it will be important to ensure that reforms support agile and devolved governance, offering city regions and local authorities the opportunity to manage any introduction of e-scooter rental services, including powers to set standards that e-scooter rental companies must meet (e.g. requiring them to regularly collect illegally parked or dumped e-scooters); require data sharing to aid with planning of the wider transport network; and to cap numbers if necessary to avoid a flood of e-scooters and rental companies overwhelming streets.
- 3.5. Powers should also enable cities and transport authorities to ensure that e-scooters are introduced in a way that supports – rather than frustrates - wider strategic policy goals, for example, around urban realm, public health and the environment.
- 3.6. The introduction of e-scooter rental services would present city authorities with similar challenges to those presented by dockless bike schemes, for example, transport authorities lack the powers to:
- license dockless bike share schemes
 - prohibit operators from entering the market
 - regulate numbers of bikes or operators
 - set basic parameters for responsible use
 - enforce any bans against use on pavements
 - require data sharing other than using a voluntary memorandum of understanding



- control allocation of parking space for privately funded schemes, other than through voluntary memorandums of understanding
- 3.7. These gaps must be addressed as they represent challenges for transport authorities in ensuring that shared bike or e-scooter schemes contribute to wider social, economic, health, environmental and place-making goals for towns and cities. Ideally, these powers should sit at city region, rather than local authority level, and should apply to all free-floating transport modes to allow a consistent approach to be applied and to minimise confusion for customers.
- 3.8. In addition to filling the gaps in the powers available to transport authorities listed above, any revised legislation should include:
- national vehicle standards applicable to all e-scooters which follow a similar rigorous approach to that required for all other motor vehicles.
 - Clear national rules on the use of all e-scooters (whether rented or privately owned) to ensure consistency and clarity across the country (e.g. where they may and may not be used; what road traffic offences apply; what training and protective clothing is required; what insurance is needed).
 - Clarity on how rules will be effectively enforced (e.g. enforcement of bans on pavement use, which the police may lack the resources to deal with).

To what extent do e-scooters have positive benefits, for instance relating to congestion and promoting more sustainable forms of transport?

Congestion and public transport capacity

- 3.9. E-scooters have the potential to ease congestion and free-up capacity on public transport networks provided they are used to replace car and public transport trips, rather than walking and cycling trips. However, evidence suggests that e-scooter trips may be more likely to replace trips that would have been made on foot or by bike, rather than by car or by public transport.
- 3.10. Research by North Carolina State University, for example found that 49% of e-scooter users would have biked or walked if they did not have the e-scooter option, 34% would have used a car, 11% would have taken the bus and 7% would not have made the trip at all¹.
- 3.11. Closer to home, researchers in France asked 4,000 users of public e-scooters how they would have travelled if scooters were not available. Some 56% said they would have walked or cycled, 30% would have used public transport and 3% would have used a car².
- 3.12. There are many more international examples presenting similar figures, with modal shift from walking and cycling averaging between 45-55%³.

¹ <https://iopscience.iop.org/article/10.1088/1748-9326/ab2da8>

² <https://6-t.co/en/free-floating-escooters-france/>

³ <https://www.fstyr.dk/da/-/media/FSTYR-lister/Publikationer/Evalueringsrapport-om-sm%C3%A5-motoriserede-k%C3%B8ret%C3%B8jer.pdf>;

Kickstarting Micromobility: A Pilot Study on e-Scooters (2019), Norwegian centre for Transport research, S. Berge;

<https://www.thebulletin.be/who-uses-brussels-electric-scooters-study-has-some-answers>



- 3.13. Of course, transport habits in the UK are not necessarily directly comparable to these international examples, and the current COVID-19 situation is likely to mean further changes to travel behaviour as people are encouraged to avoid public transport if they can.
- 3.14. DfT's planned trials of e-scooters should include investigations into how users would have travelled if they had not used an e-scooter in order to build the UK evidence base in this respect. This is particularly important given that a stated aim of the trial is to ease pressure on public transport which is experiencing severe capacity restrictions due to the pandemic.
- 3.15. When capacity begins to return to more normal levels, e-scooters could be a useful complement to public transport in that they can often be easily folded into a small footprint, allowing people to complete end-to-end journeys using a combination of scooter and public transport.

Public health

- 3.16. Being a motorised mode, e-scooters have little benefit to physical activity, requiring very low levels of physical exertion from users. Whilst this has benefits for people who would otherwise struggle to walk or cycle longer distances, there is a real risk that e-scooter journeys replace walking and cycling trips which would have delivered additional health benefits. As noted above, international experience has shown that e-scooters primarily remove walking and cycling trips. It is essential that legislation takes into account the potential of this mode to erode walking and cycling and the benefits they bring to health and wellbeing.
- 3.17. In the current COVID-19 crisis, e-scooters do, however, offer a public health benefit in that they offer an additional socially distanced transport option that does not operate in a confined space. On the other hand, the Government's planned trial of e-scooter rental schemes will need to give consideration as to how shared vehicles will be kept clean between uses to avoid the risk of infection.

Environment

- 3.18. E-scooters produce no direct emissions and their small size represents an efficient use of limited road space. However, questions have been raised as to whether they can be truly considered a green mode, for example:
 - How often do lithium batteries need to be replaced and are they routinely recycled?
 - What is the expected lifecycle of an e-scooter? In respect of shared scooters, do they tend to be fixed and put back on the road or are they treated as disposable items when they stop working? If they cannot be fixed, are they recycled or can they be used for parts?
 - Where are e-scooters manufactured and what is the carbon footprint of transporting them to their destination?
 - Rental e-scooters are usually collected up after a certain point in the evening and may be moved/redistributed at various points in the day. This is done by cars and vans generating additional vehicle journeys and potentially worsening air quality if low emission vehicles are not used.



Inclusion

- 3.19. Retailing at around £300 plus, private e-scooter ownership would be beyond the means of many people if e-scooters were to become legal. Use of a shared rental e-scooter would be accessible to more people, however, if these can only be accessed via an app or contactless payment, this would again risk some groups being excluded. Consideration would need to be given to alternative payment and booking mechanisms to open access to the widest possible range of users. This could include, for example, allowing payments by cash via PayPoints or the ability to unlock vehicles using SMS.
- 3.20. E-scooters do, however, offer inclusion benefits in terms of offering an additional transport option to people who would struggle to walk or cycle longer distances.

Where in the urban environment could e-scooters be used and how might this impact on pedestrians and other road users?

- 3.21. The obvious environment for e-scooters is cycle lanes and tracks where e-scooters can avoid conflicts with pedestrians and be protected from cars, vans and lorries. However, speed should be limited to 12.5 miles an hour, a speed that is compatible with average cycling speeds.
- 3.22. Given the speed at which e-scooters can travel, use on pavements and footways should be banned as it represents risks to pedestrians, particularly small children and people with certain disabilities. Being relatively fast moving and largely silent, they pose a particular hazard on the pavement to people with visual or hearing impairments. The use of e-scooters on pavements and footways could also cause pedestrians to feel less safe and less comfortable even if the actual risk of harm was relatively low. This may reduce people's propensity to walk as well as detract from a pleasant urban realm.
- 3.23. Consideration should be given as to how bans on pavement/footway use can be effectively enforced, given that the police are likely to lack the resources to do so if e-scooter use were to become more widespread.
- 3.24. Due to the lack of joined up cycle networks, e-scooters will need to travel on the road amongst other traffic to complete end-to-end journeys.
- 3.25. As with cycling, significant investment in infrastructure is needed - with cars separated from people wherever possible - to make cycling and scooter use accessible and appealing to the widest possible range of people.

Whether there should be advice or compulsory requirements to use specific safety equipment when using an e-scooter

- 3.26. The wearing of a helmet should be at the very least recommended and ideally mandated at national level. Research has shown that e-scooter users face a higher risk of sustaining a head injury compared to cyclists. Furthermore, whereas the physical activity and wellbeing benefits of cycling mean that we seek to remove barriers to entry where possible (e.g. recommending rather than requiring helmet use) e-scooters have very little in the way of such benefits meaning that rider safety should be placed at the forefront.



3.27. Furthermore, in the interests of safety, the Government should consider mandatory training for e-scooter users, in person and in a safe environment (rather than via an app). The most common cause of injury for riders is falling off the scooter. Riding an e-scooter is very different to operating other kinds of vehicles, it behaves differently on the road, is more vulnerable to being thrown by uneven surface and has a different centre of gravity. Also, given that it is motorised and is used on the road, it requires understanding of the Highway Code and what traffic offences apply.

Whether there should be safety and environmental regulation for the build of e-scooters

- 3.28. Standards should be set at national level to ensure that e-scooters offered for sale or rental are safe to ride and conform to any key legal requirements that may be specified, for example, around maximum power of the motor or maximum speed.
- 3.29. Standards could also look to include a minimum wheel size (and associated ground clearance) to assist riders to navigate uneven road surfaces. Most models of e-scooters have a wheel size of 8-10 inches, these small wheels make it difficult to safely travel over bumps and potholes. Safely accommodating these kinds of vehicles would require a significant increase in highway maintenance standards, something that transport authorities will find difficult to deliver given the ongoing backlog in road maintenance and the associated funding gap.
- 3.30. Larger wheels may help in reducing the likelihood of riders falling off when travelling over uneven road surfaces. They are also easier to control at speed.
- 3.31. In the interests of safety, there should also be minimum requirements for other features, including, but not limited to:
- Lights: particularly important given e-scooters are low to the ground and less visible in traffic. As well as lighting at the front, a brake light and taillight would also be useful and should be automatically controlled.
 - Brakes: some e-scooter models only have a front lever brake whilst the back brake is a mudguard like a kick scooter. This is unsafe as it is difficult for users to adjust their bodies, particularly at high speed. E-scooters should therefore be equipped with both a front and back lever brake to improve safety. Further detail will also be needed on minimum braking capabilities.
 - Indicators: should be fitted to avoid riders having to take their hands off the handlebars to indicate using hand signals. Indicators should also be designed to avoid riders having to take their eyes off the road to use them.
 - Bell/audio alert: to alert other road users to what would otherwise be a largely silent vehicle, potentially travelling at speed.
 - Tyres
 - Suspension
 - Manoeuvrability



- Durability: a sturdier build quality would mean the vehicles have a longer life, helping to reduce environmental impacts and waste.

3.32. Given that e-scooters are currently illegal and we are able to start from scratch in defining what is allowed, the Government could take this opportunity to define high standards for safety and build quality.

The experience of other countries where e-scooters are legal on the roads

3.33. E-scooters are in widespread use, particularly in European and US cities. The UK is in a strong position to learn from the good practice (and the mistakes) of cities across the world.