E-scooters and other Personal Mobility Devices in South Australia

Community Consultation Report

December 2023

Government of South Australia
Department for Infrastructure and Transport

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We acknowledge the Traditional Custodians of the Country throughout South Australia and recognise their continuing connection to land and waters. We pay our respects to the diversity of cultures, significance of contributions and to Elders past, present and emerging.



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Executive Summary

A personal mobility device (PMD) is currently defined in South Australia as an electric personal transporter which includes devices like:

- electric scooters (e-scooters)
- electric skateboards (e-skateboards)
- single wheel self-balancing devices
- segways.

In South Australia, PMDs are not permitted to be used on public infrastructure (public roads and paths) unless approval has been granted by the Minister for Infrastructure and Transport.

Currently, only fleet-operated e-scooters are approved for use in a partnership between local councils and commercial e-scooter fleet operators. Since the introduction of trials in March 2019, there has been a significant increase in the popularity of e-scooters and other PMDs.

Although personally owned PMDs are not permitted on public roads and paths, devices are available for purchase from a range of retail outlets, generally with instructions to check local regulations on whether they can be used on public infrastructure in the purchaser's locality.

The South Australian Government committed to consulting with privately owned PMD users and the broader community on the desirability of moving beyond a trial phase and allowing ongoing use of PMDs on roads and in other public areas.

The Department for Infrastructure and Transport (the Department) undertook this consultation, with a YourSAy survey open from 11 April 2023 to 21 May 2023. During this time, written and phone submissions were also accepted. In total:

- 1822 YourSAy survey responses were received
- 55 written submissions were made by individuals
- 20 written submissions were made by organisations
- eight phone submissions were made by individuals.

The engagement process highlighted that while there remain mixed views in the community in relation to the use of e-scooters and other PMDs, those that engaged in the consultation were much more likely to support their ongoing use on public roads and paths.

The consultation sought input from the community on a range of themes as follows.

Use of PMDs (i.e. whether to allow PMDs; and if so, what types of PMDs to allow)

The highest support was received through YourSAy, with 87% of responses supporting e-scooters and 76% supporting other PMDs (including e-skateboards). Most organisations supported PMD use to a similar degree. Individual submissions were less enthusiastic, however a majority of submissions still supported use in some form.

Access (i.e. PMD use on roads, bike lanes, footpaths etc)

Responses commonly favoured an ‘all access’ approach, but recommended that lower speed limits should apply where the infrastructure was shared by pedestrians or vulnerable road users. For example, responses preferred PMDs on footpaths to be limited to between 10km/h and 15km/h; while on roads in bike lanes, responses favoured a maximum speed of 25km/h.

Device specifications (i.e. size and weight)

While this theme was less engaged with in terms of responses, existing device specifications for e-scooters were generally supported. Some support was also apparent for permitting a small increase to weight restrictions, and allow devices up to 30kg, primarily to support use of devices that are fitted with the most advanced safety features.

Current device specifications used under e-scooter trials align with the ‘Category A’ device specifications identified through the work completed by the National Transport Commission (NTC) on developing a (now adopted) model to recognise PMDs in the Australian Road Rules.

‘Category A’ is defined as a ‘small light device’ that is not more than 25kg when not carrying a person or other load; and with device measurements of 1250mm in length by 700mm in width by 1350mm in height.

Rules for riders

Responses indicated broad support for a range of existing rules that apply under the current e-scooter trials, including mandatory helmet use, prohibition on the carriage of passengers, alcohol and drug riding penalties, and prohibition on mobile phone use.

Rules that received less support for continuation under a new framework included:

- the current age restriction of 18 years for e-scooters. Most responses supported unsupervised PMD use for those aged 16 years and above
- the current restriction in taking foldable PMDs on public transport. Many expressed first and last mile transport as a key benefit of permitting private PMDs to be used on public roads and paths
- the current restriction of trial e-scooters to footpath only use. Many preferred the option of ‘on-road’ use in bike lanes together with footpath use.

Insurance, registration and licensing

Most responses indicated support for treating PMDs similarly to bikes in terms of insurance, registration and licensing. This means that there was generally a preference not to require registration, licensing or compulsory insurance [either public liability or Compulsory Third Party (CTP)] for PMD use on public roads and paths.

This report provides an overview of the community engagement process undertaken and presents a summary of the feedback received.

A high level view of the consultation feedback is shown at Appendix 1.

Community Engagement Process

What did we consult on?

The Department sought feedback from the community on whether people want the South Australian Government to enable ongoing use of e-scooters, e-skateboards and other PMDs on the road network in South Australia.

A personal mobility device (PMD) is currently defined in South Australia as an electric personal transporter which includes devices like:

- electric scooters (e-scooters)
- electric skateboards (e-skateboards)
- single wheel self-balancing devices
- segways.

The consultation sought input from the community on the following topics:

- use of PMDs (i.e. whether to allow PMDs; and if so, what types of PMDs to allow)
- access (i.e. PMD use on roads, bike lanes, footpaths etc)
- device specifications (i.e. size and weight)
- rules for riders
- insurance, registration and licensing.

What platforms were used to gather feedback?

The Department used the South Australian Government's online engagement platform, YourSAy to host this engagement. The key element of the engagement was a survey. People had the opportunity to:

- read an online summary of the engagement
- download a discussion paper (see Appendix 2)
- respond to the survey
- email a response or submission directly to the Department
- phone in with a response (note that this was available for the second half of the consultation period).

Who did we ask?

The engagement was open to all South Australians.

The Department used regular communication channels to create awareness about the engagement, including:

- Facebook posts (both by the Department and YourSAy)
- media release, which generated radio and TV coverage

- Department for Infrastructure and Transport website
- YourSAy newsletter subscribers.

How many responses were received and who responded?

Across the whole engagement, the following responses were received:

- 1822 YourSAy survey responses
- 55 written submissions were made by individuals
- 20 written submissions were made by organisations
- eight phone submissions were made by individuals.

Demographic information is available for the YourSAy survey responses only. At a high level, this showed the following engagement trends for individuals who responded through the survey:

- 50% of participants were in the 30 – 49 year age range
- 71% of participants were male
- 94% of participants were from metropolitan Adelaide.

The feedback received across the different submission channels, YourSAy, written and phone submissions, showed a range of viewpoints from across the community. Given this range of viewpoints, a summary of the key themes across the response channels has been provided in this report.

Key Themes

Use of personal mobility devices

Those who were supportive of ongoing use of PMDs on public roads and paths:

- 87% of YourSAy survey participants supported e-scooter use, with 76% supporting e-skateboard and other PMD use
- 54% of the written and phone submissions from individuals (supported in some form, most did not distinguish between types of PMD)
- 14 out of 20 organisations were broadly supportive of PMD use in some form.

Those who were not supportive of ongoing use of PMDs on public roads and paths:

- 11% of YourSAy survey participants
- 35% of the written and phone submissions from individuals
- 1 out of 20 organisation responses was not supportive of, in particular, private use devices being permitted (with the remaining 5 organisations expressing neutrality or no view).

Most responses supported a range of PMDs to be used on public roads and paths. However, a small number of responses indicated support for e-scooters only.

The remaining responses were either neutral on this theme, were unsure, or did not provide a response related to this theme.

Access

A significant majority of responses to the YourSAy survey broadly supported PMD use across all infrastructure types, noting the following supported access points (figures are displayed as a percentage of the total survey responses, noting that participants could select multiple answers):

- shared paths (e.g. Linear Park) – 83.4%
- bicycle paths (e.g. Patrick Jonker Veloway) – 82.8%
- within bike lane markings on roads (where provided) – 79.4%
- footpaths – 72.3%.

Fewer YourSAy responses supported their use on roads with a maximum speed limit of 50km/h regardless of whether a bike lane was provided (57.8%) and on roads where the speed limit was a maximum of 60km/h (34.1%).

From the submissions received directly from individuals:

- Of the 35% who did not support their use at all on public roads and paths, most were strongly opposed to use of these devices on the footpath. Stating if they were to be permitted, their use should be limited to bike lanes only.

- Of those 54% who were supportive of their use on public roads and paths, some wanted all access, while others suggested they be treated similarly to a bike for all aspects of their use.

From the submissions received directly from organisations:

- nine supported access to all infrastructure (other than, for the most part, roads with a speed limit marking over 50 km/h)
- four did not support use on footpaths, citing concerns for pedestrians
- three supported access to pedestrian infrastructure
- the remaining made no remarks on network access.

Speed

When considering what access, if any, PMDs should be granted, the speed at which the devices should be permitted to travel on the infrastructure they are permitted to access is a key related matter.

The YourSAy survey responses:

- showed 41.8% of participants supported a maximum speed on roads (i.e. in a bike lane) of 25km/h
- showed a mixed response to setting a maximum speed limit on pedestrian infrastructure (e.g. footpaths and shared paths). Some preferred a 15km/h maximum (28.5%), but a more positive response was provided for a higher limit of 25km/h (32.0%).

The Department notes that the YourSAy responses to the question on maximum speed permitted on paths used by pedestrians (being a slim majority for 25km/h) is significantly higher than the 10km/h recommendation made by the National Transport Commission (NTC) for safe use of PMDs on pedestrian infrastructure. This is in stark contrast to the organisation responses outlined below, which showed an overall support to the NTC approach to speed on different infrastructure.

Most organisations made some comment on speed limits, and generally responses supported differential speed limits, as follows:

- lower limits should apply where used on footpaths and pedestrian infrastructure (maximum 10km/h – 12km/h)
- higher limits should apply when used in bike lanes and/or on roads where permitted (up to 25km/h).

Individual response submissions provided limited commentary on speed. Some noted that a ‘reasonable’ approach to speed limits should be taken, but declined to state a maximum limit. There was some support for an approach of 15km/h on footpaths, and 25km/h on roads.

Device specifications

When asked about device specifications, many participants through all channels struggled to form an opinion.

The following feedback came from the YourSAy survey on weight limits:

- 25.9% of participants preferred a maximum weight of 25kg to apply
- 28.9% of participants thought a maximum weight limit of between 25kg and 30kg should apply
- there was a significant drop off in popularity for permitted device weight to be over 30kg, with 19.2% indicating they were unsure what restriction should apply.

The following feedback came from the YourSAy survey on device measurements:

- 47.4% of participants preferred maximum device measurements that are currently permitted under the trial of e-scooters (1250mm in length by 700mm in width by 1350mm in height)
- 41.4% of participants indicated they were unsure how to answer this question.

Individual submissions received generally did not respond to this theme, with a small number indicating support for the ‘Category A’ devices identified through the NTC work.

Organisation responses to device specifications were similarly unaligned, with many not responding to this theme.

Some organisation responses preferred larger and heavier devices, primarily so riders could access devices which are fitted with improved safety features.

Other organisation submissions:

- preferred to remain within the current permitted device specification of e-scooters operating under trial conditions. This being 25kg limit, and 1250mm in length by 700mm in width by 1350mm in height, in alignment with ‘Category A’ devices identified by the NTC work
- mentioned other aspects of design, including warning devices, acoustic alerts and speed limiters.

Rules for riders

When asked about rules for riders, most participants in the YourSAy survey declined to respond to questions in this theme, as they were optional. Of the 384 participants that responded to the question on rules, the majority supported ongoing requirements for:

- helmet use
- no use of mobile phones
- must not have a blood alcohol concentration of 0.05 or over
- must not ride with a passenger.

Generally, there was significantly less support for the ongoing requirement for PMDs to be speed limited to 15km/h or the prohibition on taking devices on public transport.

In terms of age limits that should apply to PMD users, YourSAy responses showed:

- only 11.5% supported retaining the 18 year age restriction
- the remaining responses supported lowering unsupervised access to PMDs to those aged 16 years and over
- a majority (55.7%) supported adult supervised access for 12 to 16 year olds.

Individual submissions received mostly supported a ‘reasonable’ approach to rules for PMDs. Some said that the same rules that currently apply to bikes should also apply to PMDs.

Those who did not support any PMD use generally felt that if PMDs were permitted, rules should apply, and that those rules require more consistent and targeted enforcement, as well as community education to improve riders’ understanding of the rules that apply.

Organisations that responded to this theme also supported a ‘reasonable’ approach to rules for PMDs, being generally supportive of most of the existing rules under the e-scooter trials. The main points of departure from support for existing rules was for:

- permitting foldable devices to be taken on public transport to support ‘first and last mile’ use
- lowering unsupervised age limits for PMD use to those aged 16 years and over. A smaller number supported either supervised or unsupervised use by those aged under 16 years.

Many organisations discussed the need for safety education campaigns and enforcement under any new framework.

Insurance, registration and licensing

For insurance, registration and licensing, the YourSAy response was:

- 76.3% of participants supported the view that PMD users should not be required to hold a licence
- 68.0% wanted them to be treated like a bike for registration and insurance (e.g. they should not be registered and not covered by a policy of Compulsory Third Party (CTP) insurance).

Some participants who submitted individual responses by email indicated that they were willing to pay registration and insurance if this was required, although they did not prefer this option. Only six individual submissions supported requiring some form of insurance for PMDs, such as CTP or public liability insurance.

Unlike other response channels, there were varying views from organisations on insurance. Some organisations provided no remarks on insurance, while the remaining responses were as follows:

- five organisations suggested a form of a ‘no fault’ compensation scheme
- two organisations believed public liability insurance would suffice
- regarding CTP insurance:
    - five were against CTP insurance (i.e. because they thought PMDs should be treated like bicycles)
    - three responses supported CTP insurance arrangements to apply.

In relation to registration and licensing, 12 organisation submissions did not address these matters. The remaining responses were as follows:

- four supported no registration or licensing requirements
- three thought some registration was needed, either to apply CTP, or as a ‘light touch’ to identify devices
- one supported some kind of licence arrangement.

Other feedback – YourSAy

Usage

While most responses through YourSAy indicated many participants did not currently own a PMD that they wanted to use on public roads and paths, 45% of participants said they would buy a device immediately if they were permitted to be used on public roads and paths.

About half of the YourSAy participants indicated that they use the fleet e-scooters that are currently permitted under trial, on average travelling between 1km and 3km per trip.

Incidents

YourSAy showed that less than 0.5% of 'other' road users surveyed (e.g. pedestrian, cyclist, vehicle driver) reported an incident with a PMD rider that resulted in an injury to either party requiring medical treatment of some kind (e.g. doctor, dentist or hospital).

The reported incidents between pedestrians and PMD riders showed the most diverse experience. Of the 1075 participants who answered the question regarding interaction with a PMD device or rider when they were on the road network as a pedestrian:

- 733 (or 68.2%) reported no incident
- 190 (or 17.7%) reported a 'near miss' with a PMD rider
- 73 (or 6.8%) reported a parked device causing an obstruction that caused an injury of some kind (severity not recorded)
- 25 (or 2.3%) recorded a collision with injury (to either party), but without seeking medical treatment
- 17 (or 1.6%) recorded a collision with no injury to either party
- five (or 0.5%) recorded a collision with injury (to either party) that was severe enough to seek medical treatment of a doctor, dentist or hospital
- the remaining 32 responded 'other' or preferred not to classify the incident.

Of those responses received where the person nominated themselves as a cyclist, vehicle driver or other road user, a higher percentage (between 78% and 86%) reported no incidents. For these road users, there were fewer responses reported across the other categories, including 'near miss', obstruction of a parked device, minor or major injuries.

In relation to incidents, very few responses were received from the perspective of a PMD rider, therefore statistics on this have been omitted.

Free text commentary

The YourSAy survey permitted a short free text response at the end. 67% of participants provided a comment in the free text response field. Some used it as an opportunity to reiterate their responses to the survey questions. Some commented on topics which were outside the scope of this engagement.

The following topics were most frequently mentioned in free text responses (number of mentions in brackets):

- Environmental benefits (192)
- Reduces congestion (105)
- Good/great idea/alternative (95)
- Safety of pedestrians (92)
- Consistency with cycling/e-bikes (84)
- Speed limits (75)
- Use in bike lane only (69)
- Increase and/or apply road rules (55)
- Legalise (54)
- Require registration/insurance (44)

Other feedback – General

In addition to the key themes that the Department put forward for consultation, a range of other comments and feedback was received relating to other aspects of PMD use, such as:

- Strong views from a range of individuals and organisations regarding the environmental benefits of permitting PMD use. Many considered PMDs to be a suitable alternative transport mode that would have positive flow on effects for reducing carbon emissions and reducing congestion in built up areas.
- Interaction with public transport and ‘first and last mile’ commuting options. For example, there was support from both individuals and organisations around permitting foldable devices to be taken on public transport for commuting purposes.
- General dissatisfaction from the community around the amenity aspects of fleet operated devices causing obstruction to pedestrians and other road users, with devices left unattended on footpaths and other infrastructure.
- General perception of low compliance with safety and use rules, requiring consideration of additional enforcement and/or safety campaigns.

Next Steps

This feedback will be used to inform a decision about PMD use in South Australia, including any future regulatory or legislative changes. We will keep you updated as this progresses. Keep in touch at DIT.RoadSafety@sa.gov.au

Appendices

Appendix 1 – What We Heard: e-scooters and other personal mobility devices in South Australia.

Appendix 2 – Discussion paper: E-scooters and other personal mobility devices (March 2023).