

City of Greater Dandenong

Date: 6 Nov'19

Response to National Transport Commission's issue paper:

Barrier to the safe use of personal mobility devices

Question 1: Are the requirements in the proposed regulatory framework appropriate? Are there any requirements that should be removed, included or modified? Please provide a rationale to support your position. 19

Consideration should be given to generalising the definition creating a "PMD" and "motorised PMD" in the same way as the motorised scooter definition. This would capture almost every device under one definition including bicycles and power-assisted pedal cycles. Consideration should also be given to defining PMD unable to travel more than 10km/h under motor as a "Low speed PMD" which would incorporate the motorised scooter. Low Speed PMDs should not be allowed on roads.

These changes would result in significant consolidation of multiple overlapping classifications of devices making it far easier to interpret the road rules and apply any future changes required. It would also assist the general public in the purchase of these devices as it would be clear what is the legal requirements to operate any device, especially if it is new to the market and doesn't seem like existing devices.

Question 2: Is 60kg a suitable maximum weight for a PMD? If not, what is a more suitable weight and what other factors should be considered? Please provide a rationale to support your position. 19

We lack enough information to be able to consider the implications of this weight limit. Maximum laden mass should be considered to ensure infrastructure doesn't have issues coping with PMDs.

Question 3: Should children under the age of 16 years old continue to be permitted to use a motorised scooter incapable of travelling more than 10km/h on level ground on roads and paths? Or should they be able to use any device that complies with the proposed PMD framework? (see Appendix A). Please provide a rationale to support your position. 19

The age limit should be consistent with existing road rules, so it is easy for the average person to remember. However there is justification to reduce the age to 13 years old to allow for the change in speed restriction on PMDs to coincide with the transition from Primary to Secondary school and support any travel changes and behaviour pattern changes that occur at this time.

Question 4: Do you agree with the criteria selected to assess the options? Are there any key impacts not covered by these criteria? 24

We agree with the proposed criteria.

Question 5: When considering the safety risk assessment, access and amenity impacts, broader economic impacts, as well as compliance and enforcement impacts; has the impact analysis sufficiently considered all relevant variables and available evidence? What other factors could be included in the analysis? Please provide any additional evidence. (See Appendix E - Impact Analysis). 27

The safety risk assessment appears to have adequately analysed the issues and evidence.

Question 6: What do you believe is the most appropriate road infrastructure for PMDs to access: footpaths, separated paths, bicycle paths and/or roads? Please provide a rationale to support your position. 27

All suitable pedestrian and bicycle infrastructure should be appropriate for PMDs. Roads should only be appropriate at speeds of 60km/h or less.

Question 7: What is an appropriate and safe maximum speed that PMDs should be permitted to travel across the various infrastructure: (a) pedestrian areas, (b) bicycle areas, and (c) roads? Please provide a rationale to support your position. 27

- (a) 10km/h to ensure pedestrian amenity and safety
- (b) 25km/h on motor only. No limit with human power with/without motor assist but must travel at safe speed for the environment. The limit for the motor is required to avoid excessive speed capabilities.
- (c) 25km/h on motor only. Up to speed limit with human power with/without motor assist. The limit for the motor is required to avoid excessive speed capabilities, otherwise it effectively becomes a vehicle that can use on-road cycling infrastructure i.e. No different to a motorbike.

Question 8: Do you agree with the overall assessment that Option 3, Speed Approach 1 is the option that best balances mobility and safety? If not, which option and speed approach do you prefer? Please provide a rationale to support your position. 30

The most important view from Council's perspective is that PMDs should be treated as close to equivalent as bicycles as possible to prevent confusion for users.

In general Council supports Option 3, Speed Approach 1 with a change to shared paths. Thoughts on each proposal are listed below followed by general considerations that need to be considered as part of these changes.

Option 1 (status quo): Unacceptable. Apart from the missed transport opportunities the community already don't accept this and are breaching the road rules

Option 2: Acceptable but not as good as option 3

Option 3: Preferred option. Suggest increasing road speed to 60km/h or under. Most cycling infrastructure is being provided on road 60km/h or under and therefore should be suitable. Also suggest using a name other than local street in any road rules and promotion as roads are usually divided between arterial and local in definitions relating to the responsible authority not the speed. May wish to consult with rural road authorities on the impact of limiting the maximum speed as these areas tend to have very low volumes but high speed which may limit ability for PMDs to be used in these areas.

Option 4: Second best option. Put more onus on PMD users to select appropriate safe roads and potentially increases risk. Council's transport engineers generally do not support PMDs or cyclists on roads with speeds greater than 60km/h unless there are separate bicycle infrastructure.

Option 5: Not supported. It is inconsistent with most states where cyclists can ride on pedestrian footpaths. It significantly limits the benefits from PMDs by significantly limited the network available to them.

Speed Approach 1: Preferred with shared paths allowed up to 25km/h. Bicycles are already able to go at this speed on shared paths so it is to be expected by path users. Treating it different is likely to result in confusion and non-compliance. Please see comments regarding enforcement below.

Speed approach 2: This is a compromise solution and as such fails to achieve the desires of pedestrians or PMD users.

Speed approach 3: This option is acceptable but likely to be less palatable to pedestrians and may create challenges in activity centres.

As part of these road rules changes to accommodate PMDs, Council would encourage jurisdictions to review bicycle rules to make the bicycle and PMD rules as consistent with each other as possible. Much of the community will view them as being equivalent and any differences are likely to result in confusion.

Enforcement is anticipated to be low unless there are major safety issues, the same as occurs with cyclists now. As such it is anticipated that the 10km/h rule will be regularly breached however this will not be an issue as it will encourage PMD users to slow down around pedestrians and set a level of community expectation to support this behaviour (same as cyclists in Victoria regularly riding on pedestrian footpaths in many areas without issue even though not permitted within state road rules).