

National Transport Commission

Barriers to the safe use of personal mobility devices

Consultation Regulation Impact Statement

December 2019



Attn: Tim Davern

National Transport Commission

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About the Motorcycle Council of NSW Inc.

The Motorcycle Council of NSW Inc. (MCC) is an internationally recognised umbrella group for motorcycle clubs, associations and ride groups in the state of New South Wales, representing over 50 clubs, with more than 41,000 riders.

Established in 1981, MCC is recognised as the peak motorcycle representative body in NSW and subject matter experts on many complex issues dealing with motorcycling, including crash data and statistics, traffic data and congestion information.

MCC has published documentation that has been referenced worldwide by overseas motorcycling and traffic bodies, and has produced video training films that have been utilised and referred to by many overseas trainers, researchers and ride associations.

The MCC wishes to thank the National Transport Commission for this opportunity to make a submission in response to the “Barriers to the safe use of personal mobility devices” Consultation Regulation Impact Statement.

Should you require further information on the information contained within this submission, please feel free to contact the MCC enquiries@mccofnsw.org.au or 1300 NSW MCC (1300 679 622).

Regards,

Brian Wood
Secretary

General Comments:-

1/ The Motorcycle Council of NSW offers comment on the use of PMDs as motorcyclist will need to be able to safely share the road with these devices whether that be when they are crossing the road or when they are using local roads.

2/ The use of some terms for several wheeled devices in the Consultation RIS is confusing and inconsistent. To avoid confusion the NTC needs to be clear on what it is referring to. For example:-

a/ Page 7, first paragraph states:- “More recently, there has been the emergence of what are known as micro-mobility transport systems, which are characterised by more innovative types of devices, such as electric bikes, electric scooters and mopeds.”

By referring to “electric bikes” does the NTC mean an electrically powered motorcycle or an electrically driven power assisted bicycle?

By referring to an “electric scooter” does it mean an electrically powered scooter that could be legally registered as a motorcycle?

A moped is a lower powered motorcycle which can be legally registered.

b/ the term “e-scooter” is used throughout the Consultation RIS without definition.

The term ‘scooter’ can be confusing as it is widely used to refer to a number of wheeled devices.

Appendix F shows a Boosted Rev device which is described as an “Electric scooter”. Should this be more correctly described as a ‘Motorised scooter’ as per Road Rule 244A unless of course it has a power great than 200 watts in which case it is an e-scooter? (using the NSW Centre for Road Safety definition for an e-scooter)

3/ Kinetic Energy Tables 6 & 8

The explanations given for Tables 6 & 8 are incomprehensible.

The first line of the tables has a Kinetic Energy of 424 Joules which is the energy of a 110kg device at 10kph but this does not include the mass of the rider (80kg). The correct figure is 733 Joules.

The third line, 1215 Joules is the kinetic energy of a 80kg person plus a 60kg device at 15 kph. Similarly, the fourth line is the kinetic energy of an 80kg person plus a 60kg device at 25 kph.

It has not been possible to determine how the second line of 386 Joules has been arrived at.

The explanation given is that Tables outline the kinetic energy differentials compared to a MMD. Surely the kinetic energy differential of a MMD as compared to itself would be zero not 424 Joules?

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.

Response:-

In addition to the proposed regulatory framework for PMDs indicated in Table 2, the following are required:-

1/ a bell or warning device as required on bicycles to warn other road users of their approach

2/ a speedometer or other device to advise the user they are exceeding 10kph or 25kph. It would be pointless having speed restrictions if the users has no means of determining their speed

3/ used while standing up (no seat). This requirement is required to exclude devices that are more akin to motorcycles.

4/ PMDs need to conform to the appropriate electrical standards to ensure safety while they are being recharged. In recent years there have been several fires that have been attributed to wheeled devices overheating while being recharged.

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.

Response:-

Manufacturers should be encouraged to make PMDs as light as possible and users encouraged to use lighter PMDs so as to reduce the risk of serious injury to other road users. If a PMD is easy to carry, this will encourage users to pick them up and walk in situations where there is an increased number of pedestrians and cyclists. It will also encourage users to pick them up when crossing the road or where the surface is uneven. This will reduce the risk of injury to the users.

Currently the heaviest PMD is the Segway at 37kg so there is no need for PMD's to be heavier than this? As battery and motor technology improves these components will only become lighter.

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.

Response:-

The MCC doesn't offer any comment on this issue.

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

Response:-

The MCC agrees with the criteria selected.

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).

Response:-

The MCC considers all relevant variables and available evidence has been considered.

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.

Response:-

The MCC considers it appropriate that PMDs have access to: footpaths, separated paths, bicycle paths and roads. To deny regulated access to any area will just result in PMDs being used illegally.

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.

Response:-

On balance the MCC considers 10kph is appropriate for pedestrian areas and 25kph for bicycle areas and local roads.

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.

Response:-

The MCC agrees that Option 3, Speed Approach 1 is the option that best balances mobility and safety.

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