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**NTC Consultation RIS – Barriers to the safe use of personal mobility devices**

Thank you for the opportunity to provide feedback on the NTC Consultation RIS - *Barriers to the safe use of personal mobility devices* (October 2019).

IAG believes that personal mobility devices (PMDs) offer significant opportunities to increase active transport options for Australian’s to access their local communities. We see safe, public access as a critical component of building strong and connected Australian communities. IAG therefore supports the NTC’s effort to develop a nationally consistent regulatory framework to facilitate the safe use of PMDs.

The NTC Consultation Risk Impact Statement (RIS) proposes a regulatory framework which could be adopted into the Australian Road Rules (ARR) to enable a nationally consistent approach to recognising PMDs. The proposed framework specifies motor and braking mechanisms as well as weight and vehicle dimensions. In addition, the NTC paper outlines four different operational regulation options. These options differ with respect the potential speed limits and corresponding operational environments for PMDs.

The NTC preferred approach is listed as Option 3, which permits the use of PMDs on most pedestrian infrastructure, bicycle paths and local roads. This is combined with speed restrictions (Speed Approach 1) for PMDs, of 10 km/h in pedestrian areas and 25 km/h on separated footpaths (designated for the use of bicycles), bicycle path or local road. IAG is supportive of the NTCs proposed regulatory framework and preferred regulation option. We also support the implementation plan described in Appendix B which mandates helmet use for PMD users. IAG suggests that further additions could be considered to enhance the safety of pedestrians, PMD users and road users (these suggestions have been included in the submission answers below). IAG also advocates that the NTC develop recommendations to ensure that safety data is effectively captured for PMDs so that safety incidents can be monitored, and the framework can be reviewed as required.

IAG suggests that effective roll out of a PMD regulatory framework requires a coordinated national public education campaign which outlines the speeds and operating environments in which PMDs can be used and the expectation of respect for all road users. This campaign will also need to call out the liability risks that PMD users should be aware of and actions that can be taken to reduce those risks.

**About IAG**

Our purpose is to make your world a safer place, which means we are working to create a safer, stronger and more confident tomorrow for our customers, partners, communities, shareholders and our people throughout Asia Pacific. IAG is the parent company of a general insurance group, with operations in Australia and New Zealand. Our businesses sell insurance under many leading brands, including: NRMA Insurance, CGU, SGIO, SGIC, Swann Insurance and WFI in Australia; NZI, State, AMI and Lumley Insurance in New Zealand.

As one of the largest motor vehicle insurers in the Asia-Pacific, IAG develops, underwrites, sells and manages claims for general insurance products that are sold directly and indirectly to customers and businesses. IAG insures over 3.2 million passenger vehicles in Australia. IAG also provides CTP insurance in New South Wales, South Australia and the Australian Capital Territory.

With this response, IAG continues with contributions to the range of NTC discussion papers as we aim to take a leadership role in promoting the safe, accessible and connected communities.

**RIS Questions**

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.**

IAG supports the NTC’s development of maximum size and weight specifications for PMDs. As discussed in the RIS, PMDs offer a solution to address the first/last mile transport issue and therefore must be compatible for people to use on Australian public transport. PMDs dimensions also must allow for shared and safe access in pedestrian environments.

In addition to the above specifications, IAG suggests there may be additional value in looking at the following:

* A specified minimum wheel size (to ensure that PMDs can safely traverse drains, potholes and other roadway obstacles).
* An operating mechanism which sets the PMD speed to “pedestrian mode” (in this mode the PMD will not be able to travel at over 10km/h). This may help to address issues for PMD users who are having to guess what speed they are travelling (where device doesn’t display a speed). This mechanism will also facilitate a PMDs being restricted to a max 10km/h in cases where they are being used by children.
1. **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**

IAG acknowledges that the weight limit of 60 kg has been selected as it aligns with the limits set in Queensland and South Australia and is large enough to allow inclusion of Segways into the PMD regulatory framework.

1. **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**

The RIS paper identifies that the enforcement of age and corresponding speed restrictions for PMDs is likely to be extremely challenging. For this reason, we believe there may be benefit in including a speed limiting device on PMDs for children as a specification within the regulatory framework (see question 1).

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

IAG agrees with the criteria selected to assess the proposed regulatory options.

1. **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).**

One of the factors that requires further consideration within the RIS paper’s impact analysis is the broader health and social costs that are likely to arise with the increased safety risks resulting from PMDs accessing pathways and local roads. Data provided by the Royal Australian College of Surgeons (in the RIS) identified 134 e-scooter related incidents for which treatment was sought over an approximate two-month period in Queensland. This injury frequency is concerning, as the Queensland cohort of e scooter riders travelled only in pedestrian areas and did not interact with vehicles on public roads. It is noted, that 60% of these incidents were recorded as minor injuries. While this proportion is reassuring, the figures highlight that more than 50 people (over a two-month period) sustained injuries where they were likely to have required ongoing access to healthcare services and time off work.

The liability of the above health and societal costs also needs to be considered for PMD accidents. Under the regulatory framework proposed by the NTC PMDs are not registerable vehicles, this means that any PMD user, who is responsible for an incident, will be financially liable for any injuries sustained (by themselves and/or others) and for any property damage. These costs could potentially be significant. In each Australian state CTP schemes were developed in recognition of these health and societal costs and provide liability protection for people injured in motor vehicle accidents. PMDs would not currently be covered by these schemes. This lack of coverage is similar to the situation that currently exists for bicycle riders and has been an issue that is regularly discussed at state and national levels. To address this issue insurance products have been developed for bicycle riders, which offer liability insurance. IAG believes that similar products may need to be developed and promoted for PMD users. A strong education campaign on the risks and user rules also needs to be introduced to support these new forms of mobility.

1. **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.**

IAG agrees with the NTC that the PMDs need to be able to access both public infrastructure and local roads for their full potential as a transport option to be realised. We concur that this level of access will pose some increased safety risks for pedestrians, PMD users and road users and recommend that the NTC look for all opportunities to decrease these risks. This includes exploring urban planning recommendations to prioritise the creation of safe “rights of way” for mixed pedestrian environments and to develop mechanisms for effective data collection capture of safety data for PMDs. This data will be essential in driving safety initiatives into the future.

1. **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**

IAG firmly believes that PMD devices should not travel at speeds of greater than 10km/h in pedestrian areas. We believe that travelling at speeds greater than this presents a safety risk that is unacceptable and is likely to significantly deter pedestrians and vulnerable users from accessing what should be a shared space.

IAG supports the NTC’s recommendation that PMD devices should be limited to being used on local roads only. On these roads speed limits are restricted for motor vehicles and the risk of serious injury is reduced.

1. **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.**

IAG is supportive of the NTCs preferred regulation option of Option 3 with Speed Approach 1.

 IAG welcomes the opportunity to discuss any issues raised in this submission further.

Sincerely,



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