Victoria Police issues raised in response to the questions posed by the NTC Issues paper.

Barriers to the safe use of personal mobility devices
October 2019 – Regulatory Impact Statement

Question 1: Are the requirements in the proposed regulatory framework (reproduced below) appropriate? Are there any requirements that should be removed, included or modified?

Personal mobility device is a device that: *(highlight added)*

- has 1 or more wheels
- is propelled by an electric motor
- is designed to be used by a single person only
- has an effective stopping system controlled by using brakes, gears or motor control
- when propelled only by the motor, cannot reach a speed greater than 25km/h on level ground (dependent on speed approach outlined in the options)
- is not more than –
  - 1250mm in length by 700mm in width by 1350mm in height
  - 60kg when the vehicle is not carrying a person or other load
- is not equipped with, or has attached to it –
  - a seat
  - any object or fitting not technically essential to the device that protrudes from any part of the vehicle so that it likely increases the risk of bodily injury to any person
  - any object or fitting that, because it is pointed or has a sharp edge, likely increases the risk of bodily injury to any person.

Victoria Police responses in blue:

**Note – Appendix A: the kinetic energy figures listed in rows 1 & 2 of Table 6 are incorrect; it appears the first two rows did not include the weight of the rider in the calculations;*

- *MMD 80 kg 110 kg 10km/h = 733J*
- *PMD 80 kg 60 kg 10 km/h = 540J*

1. Is there is a requirement to increase the definition to 'one or more electric motors' to incorporate devices such as the Segway Drift – or are these powered skates counted as one device?
2. Whilst it is preferable for a 10 k./m speed limit, the maximum ungoverned speed cannot exceed 15 km/h. The kinetic energy increases threefold when the speed increase to 25km/h. Any speed higher than 15km/h is knowingly allowing a serious risk to all pedestrians. There is no provision for the fitment of a speedometer to the devices and requiring riders to comply with variable speed limits without the capability to monitor the speed is doomed to failure. Evidence shows that voluntary compliance for speed reductions do not work for cyclists and will not work for PMDs. A variable speed limit without a speedometer is unenforceable and therefore any prosecution would fail.
3. The framework must include the preclusion of a seat being fitted to the device, else they become pseudo-motorcycles, much like the Puri (Vespa like) 'e-bikes'.

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?

1. 60 kg is not suitable. If a Segway device is at the top of the weight range at 38 kg, then the reduction in kinetic energy of 180J at 15 km/h can be achieved by limiting the devices to 40 kg (1041J), or at most 50 kgs (1128J) compared to the present 1220J. There is no legitimate reason to go up to 60 kg.

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?

1. Children under the age of 16 should be allowed to continue to use the low powered, low speed devices currently available – under existing conditions.
2. Children 16 years or older should be able to use 'new' devices

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

1. The Impact Assessment Criteria are generally suitable for these options; however consideration should be given to assessing from the viewpoint of the most vulnerable stakeholder rather than "other road users".
2. The Broader Economic Costs and Benefits needs to have greater weight and representation of the broader health impacts, including;
    - Impact on the public health system from increased hospital ED presentations (RACS Report 2019 & Auckland reports)
    - Economic impact of injuries / lost productivity
    - European studies showed that many short trip users would have walked if e-scooters were not available, this leads to an increase in obesity & public health implications
    - Loss of revenue to public transport agencies
    - Reduce vehicular traffic may reduce congestion on inner urban roads, but increase congestion of pedestrian / cyclist infrastructure
    - Reduced use of motor vehicles will have negative impacts on that industry – service, repairs, insurance and ancillary areas – petrol, tyres etc...
    - Impacts on public transport of people carrying devices on buses / trains
    - Reduction in older pedestrian mobility due to fears of injury (PCofA Report)
3. Compliance and Enforcement: without a single fixed maximum speed limit / capability; enforcement will be impossible and voluntary compliance will not succeed.

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?

1. See above.
2. Greater emphasis needs to be placed on the potential loss of amenity to the elderly, vision and hearing impaired, young children – to whom footpaths and shared paths are their only safe mode of transport – does the introduction of PMD effect their fundamental right to freedom of movement and eliminate their only conduit to engagement.
3. Could also re-visit the branding of pedestrian spaces to "Pedestrian Priority Zones".

Question 6: What do you believe is the most appropriate road infrastructure for PMDs to access: footpaths, separated paths, bicycle paths and/or roads?

1. Ideally the PMD would be limited to 10 km/h and restricted to footpaths/pedestrian priority zones, however – to match the usage available to Wheeled Recreation Devices.
2. Permitted on paths, shared paths, bicycles infrastructure and local undivided, two-way roads with speed limits not exceeding 50 km/h.
3. Not to be ridden on train or tram infrastructure
4. Must keep to the side of any path nearest the road when passing shop doorways.

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?

1. Maximum speed on all infrastructure is not to exceed 15 km/h.

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?

1. Given the responses above; the preferred option is **Option 3 Speed Approach 2**.
2. Access to most pedestrian infrastructure (unless otherwise prohibited), bicycle/shared paths, local roads (not exceeding 50 km/h and without a dividing line)

Additional considerations;

Overall there is little consideration as to how these devices might work outside an urban environment. They cannot be permitted to travel on rural roads exceeding 50 km/h.

It may be that every device needs to be 'geofenced' so they cannot exceed the speed limit, and that a person must register on a central network to be permitted to use them. This may also help with identification of riders.

- ! There should be a requirement for an insurance scheme - accident / third party - to reduce the burden to the public purse for increased hospitalisation and welfare payments resulting from injuries sustained.

- ! There must also be a prohibition for riding whilst drug / alcohol affected - ZERO Drug tolerance and (at most) 0.05 BAC, with sanctions applicable significant enough to deter such behaviour.

S THOMPSON
Senior Sergeant 30007