**Do you agree with aligning the maximum unladen mass with the ATS or is there a more appropriate response to overcome the regulatory barriers identified? Please provide evidence to support your position.**

COTA NSW supports the proposed alignment of the maximum unladen mass of 170kg within standard created and monitored by the ATS. This would ensure all jurisdictions adhere to the same weight restrictions, which would support inter-state sales and the users of these devices in they move to a different geographical area. Additionally, the current work that is being undertaken by the Austroads for the adoption of a national technical specification for motorised mobility devices (MMD).

The increase of the unladen mass limit for mobility scooters to 170kg would recognise the changing needs of users of these devices, particularly for those that are required to carry medical equipment. A survey conducted by the Physical Disability Council of NSW (PDCN) in November 2019 found that 88% of respondents felt that it was important that unladen mass standards should be consistent across all states and half agreed with the need to increase mass limit, with 30% neutral on this subject.

As raised in the discussion paper, there is a slight increase in kinetic energy and potential harm if an accident occurred with the unladen mass limit raised to 170kg. COTA NSW is much more concerned with users of MMDs not adhering to a speed limit of 10km/h when used on footpaths which places the safety of pedestrians at risk, as indicated by table 2. in the discussion paper.

**Do you agree with the proposed pedestrian classification? Is it appropriate that all MMD operators are required to follow the pedestrian road rules? Please provide evidence to support your position.**

In the absence of a new classification for MMD’s, COTA NSW strongly supports the pedestrian classification consistently applied to these devices across all jurisdictions and in particular the requirement to adhere to a speed limit of 10 km/h. A limit of this speed will reduce the risk of injury to both users of MMD’s and other pedestrians.

However, it is well known that many devices have been ‘hotted up’ to allow for increased speed and consequently often pose a danger to pedestrians. It is paramount that users of these devices are provided with appropriate training, including clear and concise information about the current road rules. Users who do not comply with the pedestrian road rules should be subject to the specified penalties within the legislation.

Again, there was broad support from respondents of the PDCN survey, with 86% of users supporting the pedestrian classification and 2/3 agreeing that a limit of 10 km/h for MMD users is acceptable.