City of Greater Dandenong

Date: 22 Feb'19

Response to National Transport Commission's issue paper:

Barrier to the safe use of innovative vehicles and mobility devices

Issue identification

The problem identifies that the framework into which innovative vehicles and motorised mobility devices are to be fitted. This is generally formed around "a highly prescriptive set of ad-hoc road rules relating to cars, motorcycles and bicycles that have been developed over the years to address particular issues as they have arisen". The issues paper identifies the same prescriptive issues that are creating questions around the adoption and legal use of innovative vehicles and motorised mobility devices.

The current approach will add to the ad-hoc approach to putting more reactionary prescriptions in place for innovative vehicles and motorised mobility devices - creating more restrictions. This is likely to require constant review as new types of vehicles emerge whilst not addressing existing issues.

Council proposes that a better approach would be to define the spaces in which different vehicle modes are likely to be present and how they should interact in a safe and comfortable manner. These spaces include footpaths, shared user paths, cyclist paths, roads and other public spaces including town squares, parklands etc. There is also need to account for the difference in usage volumes in different areas. This could be for example be, from very high in inner city areas to minimal usage in outer suburb areas and the likelihood of conflict between different modes and pedestrians.

By defining the space and the characteristics of how that space is to operate, it is then possible to understand how different modes interact and ensure that this occurs in a safe manner and that addresses the local circumstances. This approach will allow for a broad specification of devices that are permissible within a specific space or restrictions under which they must operate within that space. This approach will allow for the development of new devices including innovative vehicles and motorised mobility devices without requiring further changes for new devices. Another advantage is that any person within a given space, will know how that space should be used as it will apply to all users not just a user of a specific device.

Observations – Council perspective

There is a slow growth in innovative vehicles and motorised mobility devices which, whilst expected to steadily grow, is not currently a design issue.

As a middle suburbs metropolitan council we have a mixture of developing high intensity locations such as major shopping precincts where conflicts may potentially occur. However, many residential locations are low density with wide footpaths and roads that are often underutilised, despite initiatives to promote active and alternative travel modes. A significant factor in the adoption of cycling and innovative devices is the lack of available infrastructure. In some cases, this infrastructure may be present and have a very low volume of use but its use is not permitted by vehicles capable of higher speeds due to legislation. However, many inner metropolitan councils will struggle with high usage and conflict between users.

The issues with innovative vehicles and motorised mobility devices will continue to grow as the population ages and a greater need for mobility vehicles is required. It has also been observed that there has been an increase in young users (primary and secondary school aged) of innovative vehicles on the path network, likely as a result of reducing prices and greater access.

Safe system approach

Council considers the safe system approach to road safety to provide the best approach to assessing these spaces and how innovative vehicles and motorised mobility devices should fit within these spaces. The safe system approach underpins the National Road Safety Strategy 2011–2020, most State road safety strategies and is being incorporated into AustRoads design guidelines.

The following looks at each aspect of the safe system and how innovative vehicles and motorised mobility devices impact that aspect.

Safe Infrastructure

Current standards ensure that the infrastructure is designed to ensure spaces operate safely. Further work is likely to be required to define how a space operates to further improve these standards to ensure the standards are appropriate to incorporate new vehicles. Initial focus on innovative vehicles and motorised mobility devices should seek to fit these vehicles into the existing infrastructure. This should include effort to integrate with minimal safety issues. For mobility devices this should also meet DDA requirements to maximise access and therefore mobility. Designing to current standards will also reduce the cost on asset owners as it will reduce the amount of infrastructure upgrades that will be required.

Safe Speeds

Speed is the characteristic that tends to define how a space operates. As such, effort should be made to define the speed that should be expected in each type of space. This may require consideration of speed limits in non-road environments that innovative vehicles and motorised mobility devices will need to be designed to be able to comply with.

Significant research is still required in this area relating to the risk that speed creates and other factors (such as weight) impacting on this risk. This should also consider the perceived risk by other users of the space that may impact their use of the space.

Safe Users

Any regulations need to be consistent and relatively easy for a person to understand. Any user should understand how a space should operate and therefore how another person in the space will behave. This will allow users to take greater responsibility for their safety and those around them. It is likely that education will be required to assist in ensuring spaces are used appropriately.

Safe Vehicles

Whilst innovative vehicles and motorised mobility devices should be designed to fit into the existing system, there will be cases that vary and may result in additional considerations. These considerations will need to consider matters such as height, weight and stability. The need for safety gear (e.g. helmets) should also be considered, especially if a vehicle is designed for a higher speed space.

Enforcement

Regardless of the outcome, any changes to regulations need to consider how they will be enforced. Currently there is confusion over who is responsible for enforcement; viz whether it is police or local law officers. Regardless of responsibility, in many instances existing laws are are rarely enforced, particularly in areas where overall usage of a space is low e.g. riding on footpaths.

Clarification around enforcement will need to be provided. This needs to cover the inappropriate use of public spaces by innovative vehicles and mobility devices and who is responsible for enforcement and prosecution.

Conclusion

The current framework focuses on the type of vehicle and prescribes rules related on them. This needs to be re-examined. In Council's view further work needs to be undertaken into investigating how spaces that innovative vehicles and motorised mobility devices are to be introduced into will be used. This space-based approach allows for a road safety based approach and gives the greatest flexibility in being able to introduce new devices and vehicles into existing spaces.