

Living Streets Aotearoa Policy on E-Scooters

25 November 2019

Policy statement

Living Streets considers that the safety and amenity of pedestrians must be prioritised in any decisions about use of footpaths for new forms of micro-mobility, in particular, the safety of young and older people, and for those with visual, hearing and mobility impairments.

Everyone is a pedestrian every day, and walking or wheel-chairing is the connection with all other forms of travel. Footpath space is the social space in all our towns and cities and needs to remain safe and pleasant for pedestrians to use.

To ensure pedestrian safety in New Zealand, e-scooters need to be banned from footpaths (sidewalks / pavements). Where space is needed for new forms of micro-mobility this should be taken from road space currently used for vehicles as it is motor-vehicle trips that should be reduced.

Background

E-Scooters are now available in many larger New Zealand cities. They are part of a suite of new forms of micro-mobility. The availability of e-scooters has been significantly expanded as a result of hire schemes operated by numerous private sector companies since October 2018 when the New Zealand Government changed the regulations to allow them on footpaths. There are different regulatory frameworks in each country and indeed in many places the regulatory framework is evolving as the numerous implications of the rapid growth of e-scooter use have become clearer. In particular, the implications for pedestrians (especially those with visual, hearing and mobility impairments) are of concern.

Demographic data on e-scooter users in New Zealand is not collected by the New Zealand Transport Agency or councils, but may be available from the companies that operate them. A Californian study showed that e-Scooter users were overwhelming male (82%), white (63%) and affluent (68% had household incomes above \$100,000) ¹.

Regulation

In New Zealand, the law now allows e-scooters to be used on footpaths as long as local authorities allow them. Both central and local government in New Zealand were not prepared for the advent of e-scooters; there has been a lack of clear and effective regulation and practice varies across the country. E-scooters may be appropriate in cycle lanes and on roads up to 30kph speeds.

Living Streets welcomes devices for people with disabilities and small kids on small bikes on footpaths at walking speed.

Several private sector companies (including Jump or Uber, Lime, Wave and Flamingo) have received approval from road controlling authorities (Auckland Council in the case of Auckland and city and district councils in other parts of the country) to run trials ranging from 3 months up to a year of hire e-scooters. In some cases, councils have not charged the companies. Councils can use by-laws to regulate this use, or modify existing rules to regulate. Many have called this a new

¹<https://www.sfchronicle.com/business/article/SF-finds-controlled-scooter-pilot-a-success-13764061.php>

³<https://www.bbc.com/news/world-europe-50189279>

form of trading in public place (Pennington 2019). In the e-scooter trial in Auckland, Auckland Council charges a mobile vendor rental fee on the two e-scooter companies being trialled there, Lime and Wave, equivalent to \$13 a year per scooter; this is in contrast with Christchurch City Council's charge of \$86 per scooter which is based on its charges for other footpath traders (Pennington 2019). Wellington City Council's trial started in June 2019. It is the first council to apply a public education fee of \$12.50 to each scooter, plus a \$25 bond, plus \$45 per scooter for monitoring and compliance for 18 months. This is roughly equivalent to the fee charged by Christchurch City Council (Pennington 2019).

Safety concerns

There are a number of safety concerns relating to both the e-scooter rider, other road users and pedestrians on footpaths. In the case of pedestrians, safety has not been well considered as many footpath users are very young, older, frail and have sensory and cognitive impairments and rely on walking or wheel-chairing as their main independent means of travel. That is they have no other independent choices. Other people who walk choose to do so because they appreciate the pace and want to enjoy their surroundings without looking-out for vehicles. The impact of e-scooters on the walking environment and the safety of pedestrians has been neglected in planning for e-scooters and the primary focus has been on the safety of the e-scooter rider.

Monitoring of impacts on pedestrians has not occurred and data on injury rates is incomplete and not mandated in any way. However, Accident Compensation Commission (ACC) data on injury claims and hospitalisation data² indicate that within less than two years, there have been a significant number of injury crashes. It is too early yet to determine the impact of this new vehicle use and comparison with other activities. New Zealand's first e-scooter fatality occurred in September 2019.

New Zealand has a no-fault accident compensation system so there is no penalty to the company or recourse for victims, such as suing companies and individuals through the courts, unlike the USA.

Both actual safety and perceived safety are important for people to feel comfortable walking. While restrictions on the speed of e-scooters on footpaths is one approach to improving safety, it will be very hard to enforce. In several overseas jurisdictions e-scooters have been banned from footpaths. In October 2019 France introduced new rules that riders must be at least 12 years and are not able to ride on the footpath.³

Living Streets Aotearoa considers that e-scooters should be separated from pedestrians and should be required to use cycle lanes and low-speed vehicle road lanes only.

Environmental sustainability and economic benefits

Environmental benefits are often attributed to new forms of electric vehicle, and this is the case for micro-mobility. It is claimed that many e-scooter trips replace vehicle trips but so far the data shows only modest shift. E-scooters have potential environmental benefits if they lead to reduced use of fossil fuel-powered vehicles and reduce congestion. However until e-scooters charging by petrol-driven juicers is not the norm, the benefits will remain modest.

² <https://www.newshub.co.nz/home/money/2019/10/e-scooter-accident-claim-costs-cross-4-million-acc.html>

³ https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12276043

Life cycle costs of scooters are not clear. Of the 400 Jump scooters that were introduced to Wellington less than 6 months ago 300 have now been sent to a recyclers in Auckland.

Scooters are seen as cheaper and more convenient than public transport for short trips in New Zealand despite the hefty hourly hire rate. Users are however able to park for free wherever they like.

Scooters are seen as a solution to the first-mile/last-mile “problem” to access public transport. This is one instance where they directly replace healthy walking trips. Walking has the lowest carbon impact of any form of transport, and costs society the least to provide.

Some women may be attracted to e-scooters to make the connection to home, mitigating their safety concerns associated with walking to and from public transport.

E-scooters may be seen as an alternative where public transport does not exist, yet most places scooters are provided in New Zealand is in public transport rich, downtown areas where most people walk. Lower Hutt, for instance, did have an scooter scheme but this was withdrawn over winter (and is still not operating) presumably because of low use. So scooters are not serving in public transport poor areas or indeed in poorer parts of towns.

The lack of, and relatively expensive public transport services in New Zealand are likely to be a factor in the popularity of e-scooters. For low income groups (such as young people), e-scooters may be seen as a low-cost transport option and may replace car travel and public transport. However, there is a requirement to have a credit card for payment which will exclude some low-income people.

Health benefits

Given that scooters are powered vehicles they do not have the health benefits of active transport; indeed, they cannot be considered as active transport. Encouragement of e-scooters is incompatible with government policies that seek to promote healthier lifestyles including use of active transport. E-scooters are replacing walking trips, and human-powered cycling, and the presence of e-scooters is being reported as discouraging walking. Clearly scooter use is having a negative impact on active transport and its health benefits.

Urban design influence

Urban design appears to have an influence on the uptake. Interestingly, some cities (for example, London and Amsterdam) do not have e-scooters whereas others (for example, Brisbane, Los Angeles, Paris, Berlin) that have had modernist restructuring, with wide avenues, large blocks and redistribution of services over distances designed for trips by car. In summary, car-centric urban design has encouraged uptake.

Definition

Micromobility advocate Dediu defines micro-mobility as “vehicles weighing less than 500 kilograms, powered by electricity, owned by someone other than the driver, used on-demand, often for a small fee, and given frequent software upgrades” (Will Harvie, Stuff 6-5-19).

Scooters weigh around 20kg, are powered by a lithium battery which, for hire vehicles, is recharged each night by petrol driven ‘juicers’. In New Zealand they are ‘dockless’ with no fixed parking, and for hire wherever they are found. They are expensive at \$18 to \$23 per hour (current prices).

Wikipedia definition and the legal status (incomplete and changing) in other

countries.

https://en.wikipedia.org/wiki/Motorized_scooter

Auckland Council (31-10-19) Licensing to continue for rental e-scooters in Auckland
<https://ourauckland.aucklandcouncil.govt.nz/articles/news/2019/10/licensing-to-continue-for-rental-e-scooters-in-auckland/>

Auckland Council renews escooter licenses with conditions (31-10-19)
<https://www.tvnz.co.nz/one-news/new-zealand/auckland-council-renews-e-scooter-licences-added-conditions>

Dediu quoted in Stuff (6 May 2019). Micro-mobility revolution has just begun. Retrieved from
<https://www.stuff.co.nz/science/112412670/micromobility-revolution-has-just-begun>

Pennington, P. (2019). E-scooter companies ride on as councils lack authority to charge or regulate. Retrieved from <https://www.rnz.co.nz/news/national/386709/e-scooter-companies-ride-on-as-councils-lack-authority-to-charge-or-regulate>