



19 May 2023

Personal Mobility Devices
Road Safety, Policy and Research
Department for Infrastructure and Transport
GPO Box 1533
ADELAIDE SA 5001

DIT.RoadSafety@sa.gov.au

Dear Mr Whelan,

RAA submission to personal mobility device use in South Australia consultation

RAA is pleased to make the following submission to the Department for Infrastructure and Transport's consultation on personal mobility device use in South Australia. As the State's largest member organisation representing 800,000 South Australians and reaching into more than 70 per cent of households, we aim to make every day better for members and the community, today and for future generations.

As an advocate for mobility and road safety for 120 years, we have a deep interest in the safe introduction of new modes of transport.

In May 2023 we asked our members about e-scooter use. We received 413 responses to an opinion survey which revealed the following:

- Nearly three quarters (74%) were supportive of privately owned e-scooter use on public land.
- There was confusion over the current legal status of privately-owned e-scooters, with around one in five (22%) believing they were already allowed on public land.

RAA is supportive of e-scooter use in South Australia, however designing an appropriate regulatory framework and implementing a comprehensive education and enforcement regime is important to ensure safe operation of these devices for all road and footpath users.

RAA makes three key recommendations in the following submission and provides responses to the Department's specific topics for consultation at [Attachment 1](#).

These devices can potentially offer the benefit of replacing car trips over low-medium distances, thus reducing traffic congestion. They can connect more patrons to public transport across the first/last mile of journeys and can provide a mobility solution for tourists, as demonstrated by peak shared e-scooter usage during Adelaide Fringe season.¹

RAA supports shared e-scooter schemes and believes hire scheme permits should be extended beyond the trial basis. However, the negative impacts of these schemes, such as footpath clutter and reckless behaviour by inexperienced riders, should be monitored and improved through targeted policies and rider education.

Private personal mobility devices present a separate set of issues and risks that must be addressed through appropriate legislation.

¹ Ride Report public dashboard, [Adelaide Central | Micromobility Dashboard \(ridereport.com\)](#)



Private personal mobility device operation

There is growing demand for private personal mobility device ownership and further delays to implementing legislation increase uncertainty among the public. For example, many retailers sell e-scooters and, as RAA research demonstrates, many members of the public are confused about the laws.

Recommendation 1: SA Government to make privately owned e-scooter operation legal on roads and public areas, as outlined in Attachment 1 of this submission, and implement a comprehensive education campaign and enforcement regime.

RAA understands that the jury is still out on the safety of e-scooters compared to other transport modes. Data sources such as hospital trauma data collection and road crash data have not kept pace with the emergence of personal mobility devices. Therefore, the frequency and nature of accidents, injuries, and fatalities cannot be determined.

RAA understands that the lack of data around e-scooter accident frequency and severity make reinsurance (insurance for insurance companies) complex to obtain, certainly for privately-owned devices². In comparison, similar products are widely available for cyclists through both specialist products and many home and contents insurance policies.

Recommendation 2: In parallel to the introduction of e-scooter legislation, the Department must engage with SA Health and other agencies to ensure data on personal mobility device incidents is captured and reported.

Recommendation 3: The Department to ensure that e-scooters operating on public roads are covered under the Compulsory Third Party insurance scheme, like the current arrangement for cyclists or pedestrians. For example, in the event of a collision with an e-scooter where a motorist is at fault, CTP should cover the e-scooter rider.

We welcome the opportunity to discuss these recommendations with you. If you have any questions, please feel free to contact me via Emily.Perry@RAA.com.au. On behalf of RAA's members, we look forward to working with you on matters of importance to mobility and road safety.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Emily Perry', with a stylized flourish at the end.

Emily Perry
General Manager Community and Corporate Affairs

cc: Minister for Police and Emergency Service, Hon Joe Szakacs MP

² RAA understands that companies such as Beam and Neuron hold Personal Liability and Accident Cover insurance and while this product is available for companies, it may not be available at the personal level.

Attachment 1: Response to Department for Infrastructure and Transport Topics for Consultation

RAA would like to make the following recommendations regarding the operation of **privately owned e-scooters** for consideration by the Department. RAA recommends the following should be implemented, in combination with safest practice device design standards.

1. What kinds of devices should be allowed?

- E-scooters of a design that is stable when ridden safely on a road surface that is subject to undulations, road debris and imperfections, particularly under wet weather conditions and emergency stopping situations.
- Wheel design must be sufficient to avoid being unbalanced by road imperfections. This may mean that some devices sold are limited to footpath use only.

2. Where should they be used?

- E-scooters should be permitted to operate on public roads that have a speed limit of 50km/h or lower, or within bicycle lanes that are physically separated from other lanes of traffic on roads with a speed limit of 60km/h or lower.
- E-scooters should be permitted on footpaths, shared paths, separated footpaths (in the bicycle lane) and bicycle paths.
- Local councils and other authorities must retain the ability to prohibit e-scooters from some areas where the operation of devices poses a risk to others, or the rider.
- To realise the benefits of e-scooters they should be allowed to be carried on public transport, however SA Public Transport Authority may need to set size and weight restrictions for some modes, such as buses, due to limited space availability.

3. How big should they be?

- Maximum weight restrictions for e-scooters should allow for additional weight for manufacturers to add innovative safety devices, such as automatic emergency braking.
- RAA believes that one rider per e-scooter is appropriate and that the Department should be mindful that setting an excessive maximum e-scooter length could encourage tandem riding.

4. How fast should they be allowed to travel?

The powered speed of e-scooters should be:

- A maximum of 25km/h on public roads, cycle lanes and bike paths.

- A maximum of 10km/h on footpaths, shared paths and areas of high pedestrian activity, which is consistent with the rules for bicycles and motorised mobility devices.

5. What rules should apply to riders?

- Riders should obey all SA road rules, just like motorists and cyclists.
- Helmet wearing must be mandatory for all riders, consistent with the current requirements for cyclists.
- A maximum of one rider per e-scooter should be allowed.
- Riders must be a minimum of 12 years old, however those aged 12 to 15 years old should be accompanied by an adult.
- Allowing those under 16 to ride e-scooters provides a safe travel option to and from school where it is too far to walk. This could reduce short car journeys and benefit traffic congestion near schools.

6. Should they be registered and/or insured?

- In alignment with the rules for bicycles and e-bikes, e-scooters should not be considered motor vehicles. As such registration of individual e-scooters is not supported. Registration would place an unnecessary administrative and cost burden on e-scooter owners for little public benefit.
- RAA understands that some insurance companies will insure e-scooters for theft under home and contents policies, but it is our understanding that this does not extend to public liability cover in case an e-scooter rider causes injury to a pedestrian or another road user.
- Comparatively this form of third-party injury insurance is readily available for bicycles, both through specialist products and many home and contents policies.
- It appears the insurance industry may not currently be able to extend injury cover to e-scooter riders, owing to the complexity of obtaining reinsurance (insurance for insurance companies). This position may change once the potential risk profile is better understood by the insurance industry.
- It is noted that other states that have allowed private use of e-scooters have not sought to address this issue, instead relying on any such claims to be the subject of civil action through the courts.
- This issue is likely to be one of the key points of concern amongst those who oppose private use of e-scooters such as pedestrian groups, particularly those representing the elderly or people living with disability.

- RAA considers this a major issue and recommends that some form of cover be established **to assist in mitigating this risk**. As a temporary measure, RAA recommends that SA Government offer cover for those that suffer a long-term serious injury resulting from an e-scooter incident, regardless of fault, **until other means of support are established**. This could be funded through measures such as the Lifetime Support Scheme.