

**Submission  
No 145**

## **INQUIRY INTO USE OF E-SCOOTERS, E-BIKES AND RELATED MOBILITY OPTIONS**

**Organisation:** Blind Citizens Australia

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# Blind Citizens Australia

ABN 90 006 985 226

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## **Response to the NSW Parliament Transport & Arts Committee - Inquiry into the use of e-scooters, e-bikes and related mobility options**

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# 1. Introduction

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## 1.1 About Blind Citizens Australia

Blind Citizens Australia (BCA) is the peak national representative organisation of and for the over 500,000 people in Australia who are blind or vision impaired. For nearly 50 years, BCA has built a strong reputation for empowering Australians who are blind or vision impaired to lead full and active lives and to make meaningful contributions to our communities.

BCA provides peer support and individual advocacy to people who are blind or vision impaired across Australia. Through our campaign work, we address systemic barriers by promoting the full and equal participation in society of people who are blind or vision impaired. Through our policy work, we provide advice to community and governments on issues of importance to people who are blind or vision impaired. As a disability-led organisation, our work is directly informed by lived experience. All directors are full members of BCA and the majority of our volunteers and staff are blind or vision impaired. They are of diverse backgrounds and identities.

## 1.2 About people who are blind or vision impaired

According to the Australian Bureau of Statistics (ABS), over 4.4 million Australians have some form of disability - roughly equating to 1 in every 5 Australians having a disability, and there are currently more than 500,000 people who are blind or vision impaired in Australia; with estimates that this will rise to 564,000 by 2030. According to Vision Initiative, around 80% of vision loss in Australia is caused by conditions that become more common as people age<sup>1</sup>.

Australians who are blind or vision impaired can live rich and active lives and make meaningful contributions to their communities: working, volunteering, raising families and engaging in sports and other recreational activities.

The extent to which people can actively and independently participate in community life does, however, rely on facilities, services and systems that are available to the public being designed in a way that makes them inclusive of the needs of all citizens – including those who are blind or vision impaired.

## 2. Submission context

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This submission is based on existing legislation and frameworks, noting gaps in the fulfilment of requirements laid out in existing documentation. The pertinent acts and legislation are:

- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)
- The Disability Discrimination Act 1992 (Cwlth)
- The National Disability Strategy 2021-2031 (this strategy coordinates the implementation of the UNCRPD)

This submission responds to the following sections of the Inquiry's Terms of Reference (ToR):

- (b) opportunities to reform the regulatory framework to achieve better and safe outcomes for riders and the community
- (c) local council, industry, stakeholder perspectives on the utilisation and impact of e-mobility devices in the community
- (d) opportunities to improve ... safety for users and the community

Our response is based on extensive consultations with members and other people who are blind or vision impaired over many years, our membership on the NSW Accessible Transport Advisory Committee (ATAC), and our ongoing advocacy work in the sector related to safety people in the community who are blind or vision impaired.

## 3. Blind Citizens Australia's submission

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### 3.1 Policy Context

#### 3.1.1 Background

In recent years there has been rapid and significant growth in the popularity and availability of e-scooters and other Personal Mobility Devices, while legislation and regulation has struggled to keep up. Personal Mobility Devices (PMDs) or 'e-ridables' are broad terms that can refer to a wide range of electric powered devices, including e-scooters, electric unicycles, electric skateboards, 'hoverboards' and Segways.

Blind Citizens Australia (BCA) recognises the ongoing role PMDs are likely to play as a way of providing a practical, ecological and economical alternative to city traffic, and as “last-mile” transportation to help bridge connections within public transport networks. However, these devices can pose significant risks to people who are blind or vision impaired. It is therefore crucial that governments across Australia introduce consistent rules regulating their use to promote the safety of both users and pedestrians.

### 3.1.2 Approaches across Australia

The laws on the use of e-scooters and other PMDs currently varies significantly across Australia, and has changed at a rapid pace. Some governments – such as in Victoria, Tasmania and Western Australia – have allowed private ownership of these devices to varying extents; while other jurisdictions – such as Queensland and South Australia – have required private companies to establish schemes where e-scooters and e-bikes can be hired as a way for tourists and locals to get around (‘hire and ride schemes’) a designated zone, while prohibiting private ownership. It is unclear how effective these prohibitions are however, given the ready availability at many major retailers such as JB HiFi etc.

### 3.1.3 Issues and Concerns

When used inappropriately, PMDs create a significant safety hazard for pedestrians who are blind or vision impaired. The foremost of those concerns is the difficulty detecting e-scooters approaching as they run almost silently and are capable of speeds of at least 25km/h. We are gravely concerned by reports of e-scooters available on the market that can reach speeds of up to 90km/h.

In addition, ‘hire and ride’ devices are often deposited across pedestrian areas after being used, creating a tripping or collision hazard for people who are blind or vision impaired. Similarly, these devices may be left in areas that block tactile guidance systems, traffic lights, or walls that are essential for the independent mobility of people who are blind or vision impaired.

Reckless endangerment caused by scooter misuse has amplified safety concerns for all pedestrians, but especially those who are blind or vision impaired. In recent years, an overall increase in injuries has been recorded by Australian medical professionals, including both to the e-scooter users and other pedestrians or bystanders who have been injured by the scooters. Figures compiled by the Jamieson Trauma Institute show that there were 1,273 e-scooter related presentations in QLD emergency departments throughout 2023 – up from the 1,018 presentations recorded in 2022, and a massive 84% increase from the 691 presentations in 2021<sup>2</sup>.

International research has indicated that e-scooters could be three times more dangerous than cycling, with riders engaging in anti-social behaviour including using devices on footpaths, travelling too fast, racing other riders and performing dangerous stunts<sup>3</sup>. Additionally, use of scooters under the influence of alcohol has increased safety concerns given the dangers to both pedestrians and riders themselves<sup>4</sup>.

## 3.2 Policy Solutions

We note that the National Transport Commission, the statutory body for developing road regulations, released a 73-page Final Report<sup>5</sup> in August 2020 after spending 18 months considering the barriers to the safe use of PMDs. The report recommended e-scooters be allowed for use at speeds of 10km/h on footpaths and shared zones, and 25km/h on bicycle paths and residential streets (roads with speed limits of 50km/h or less).

BCA broadly supports the recommendations of this report; however, we go further and urge all jurisdictions to ban PMDs from use on footpaths, and allow their use only on dedicated bike lanes and residential streets.

Action must also be taken to reduce the risk of the near silent operation of PMDs. This can be achieved through consistent national regulation on the mandatory installation of the Acoustic Vehicle Alerting System (AVAS) on all PMDs. This system, which has been mandated for use in electric and hybrid vehicles across Europe and the United States, and will be mandatory in Australia from November 2025 for all new electric, hybrid and hydrogen fuel cell cars, trucks and buses<sup>6</sup>, emits an artificial noise of 75 decibels while the device or vehicle is being used.

As noted in Section 3.1.2, recent years have seen rapid changes in approaches by various levels of government in adapting to the challenges of PMDs. Indeed, at the time of submission, the City of Melbourne has upended the PMD policy landscape in Victoria by prohibiting the use of hire and ride devices<sup>7</sup>; while the peculiarities of Victoria's legislation mean the legality of privately owned devices within the Council's boundaries is now a grey area. While BCA welcomes the commitment to pedestrian safety expressed by the Melbourne's Lord Mayor at the time the ban was announced, we encourage all decision makers to actively engage with the disability community before decisions like this are made in future. We note that while a ban on hire and ride PMDs will likely have a positive impact on the hazards posed by such devices left on footpaths and in public areas; it is more

challenging to impose and enforce regulations – such as speed restrictions, or installation of AVAS technology – on privately owned devices.

## 4. Recommendations

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To help ensure the safety of people who are blind or vision impaired (and other pedestrians), Blind Citizens Australia recommends the NSW Government works with the Commonwealth, and other State and Territory governments to ensure nationally consistent rules on the use of e-scooters and other PMDs. This should include the following reforms:

1. E-scooters and other PMDs should be prohibited from use on footpaths.
2. The speed limit for the use of e-scooters should be capped 25km/h on shared paths, bicycle paths and small roads, and at 10 km/h in high use pedestrian areas.
3. PMDs that are imported to Australia undergo strict regulation checks to ensure that the maximum allowed Watts are not exceeded, and top speeds cannot be exceeded.
4. All e-scooters – whether privately owned or part of a ‘hire-and-ride’ scheme – must be equipped with AVAS technology, without the capacity for this device to be removed or deactivated
5. All e-scooters and other PMDs are equipped with a bell or other warning device.
6. States and Territories that allow ‘hire-and-ride’ e-scooters must require the operators of such schemes to include geo-locking mechanisms whereby e-scooters are forced to slow, or prohibited entirely from entering built-up, busy pedestrian areas like malls and tourist destinations.
7. Hire-and-ride schemes must include a system for the deposit and placement of e-scooters and e-bikes after use in pedestrian areas. This may include introduction of fines for failing to place devices in a safe place at the edge or off the footpath after use.
8. Begin public advertising campaigns relating to the safe use of e-scooters and e-bikes, both for users and for other pedestrians or bystanders.
9. Ensure laws and regulations relating to e-scooters and other PMDs are properly enforced with penalties imposed if they are breached.



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<sup>1</sup> Vision2020. *Eye health in Australia*. <http://www.visioninitiative.org.au/common-eye-conditions/eye-health-in-australia>

<sup>2</sup> ABC News (2024). Reported e-scooter injuries on the rise at Queensland emergency departments. <https://www.abc.net.au/news/2024-07-15/e-scooter-injuries-at-qld-emergency-departments/104090966>

<sup>3</sup> Independent (2022). E-scooters could be three times more dangerous than cycling, study finds. <https://www.independent.co.uk/news/uk/home-news/electric-scooters-escooters-danger-cycling-uk-b2246548.html>

<sup>4</sup> Kleinertz et al (2023). Risk factors and injury patterns of e-scooter associated injuries in Germany. <https://www.nature.com/articles/s41598-022-25448-z#:~:text=Of%20the%20278%20e%2Dscooter,scooters1%2C3%2C13>

<sup>5</sup> National Transport Commission (2020). Barriers to the safe use of personal mobility devices. Retrieved from <https://www.ntc.gov.au/sites/default/files/assets/files/NTC-Decision-RIS-PMDs.pdf>

<sup>6</sup> Minister for Infrastructure, Transport, Regional Development & Local Government (Cwlth) – Media Release. Making some noise for safer vehicles. <https://minister.infrastructure.gov.au/c-king/media-release/making-some-noise-safer-vehicles#:~:text=The%20new%20Australian%20Design%20Rule,car%20parks%2C%20intersections%20and%20driveways>

<sup>7</sup> ABC News (2024). Hire e-scooters to be banned in Melbourne over safety concerns. <https://www.abc.net.au/news/2024-08-14/hire-e-scooter-ban-melbourne-safety-concerns/104219234>