Future of transport regulatory review call for evidence

Living Streets' response

July 2020

Introduction

We are Living Streets, the UK charity for everyday walking. We want to create a walking nation, free from congested roads and pollution, reducing the risk of preventable illnesses and social isolation and making walking the natural choice. We believe that a walking nation means progress for everyone. Our ambition is to get people of all generations to enjoy the benefits that this simple act brings and to ensure all our streets are fit for walking.

Living Streets welcomes this opportunity to respond this Future of Transport Regulatory Review. Our response focuses on the use of micromobility vehicles and the opportunity presented by Mobility As A Service platforms.

Summary

The Future of Transport Regulatory Review highlights some of the important shifts that are occurring in the way we travel. Micromobility vehicles (MMVs) have the potential to ease congestion in our cities but will not necessarily make the way we travel greener. More worrying are the safety risks to e-scooter riders and other road users, especially pedestrians. They are fast, powerful, quiet and less stable than bicycles. The poor state of our roads combined with high levels of traffic lead us to believe that we do not have the right infrastructure currently in place to support e-scooters. People will scoot on the pavement because they are scared to use the road causing alarm and potential danger to more vulnerable pedestrians, including children, those with mobility issues or living with hearing or sight loss.

Mobility as a Service (MaaS) presents us with an opportunity to integrate transport modes in a way

that has not been done before. The role of Government is to provide the appropriate direction for emerging technologies and markets. That means the outcomes we all want to see - more people walking and cycling – must sit prominently in MAAS platforms as well as in all central, regional and local government transport policies, strategies, plans and investment (e.g. increasing road space for active travel or creating low traffic neighbourhoods).

Walking (and cycling) should be presented as the most desirable option for shorter journeys, followed by sustainable transport. Living Streets has come together with likeminded organisations (Bus Users, Campaign for Better Transport, Community Rail Network, Community Transport Association, Collaborative Mobility UK (CoMoUK), Greener Journeys and Sustrans) to highlight that:

- Buses, trains, minibuses, trams, shared mobility hubs, and walking and cycling paths and facilities have continued to be crucial through the pandemic, for moving keyworkers and goods, and keeping us well and connected;

- While social distancing is posing challenges now for transport operators, moving forward, public, community and shared transport, combined with active travel, will be doubly important;

- A sustainable, inclusive transport network will enable us to reduce private car use and decarbonise transport, to tackle the increasingly urgent climate emergency, and create stronger, healthier, happier communities, with less pollution and more equal access to opportunity

Micromobility

2.1 Do you think micro-mobility vehicles should be permitted on the road? Please explain why.

This question comes after the fact that there are in the region of 250,000 privately owned e-scooters already in use in the UK; 1600 units are sold each week[1]. Micromobility vehicles (MMVs) such as e-scooters, self-balancing scooters and electric skateboards are becoming a common sight and are currently being used illegally on public roads and pavements. Living Streets' view is that the Government must instruct police to enforce the law or change the transport system and regulations to ensure the safe use of these vehicles on the public highway. Current 'laissez-faire' cannot be allowed to continue.

MMV users are safer away from motor vehicles, for example, on segregated cycle infrastructure. At present our roads are not safe for people cycling or scooting. MMVs must not be permitted in the vicinity of pedestrians - on footways or shared use paths. MMVs must not be confused with mobility scooters which are permitted on pavements at a walking speed – 4mph. The vehicles illustrated in Figure B can move much faster e.g. rental e-scooters legalised for trials across the UK will be capable

[1] Phillip Darnton Bicycle Association, oral evidence to the Transport Select Committee 01.07.2020.

of travelling at 15.5 mph and will be twice as powerful as the average e-scooter (250W). This combination of speed, acceleration, poor stability (compared to bicycles) and inexperience could be very dangerous for more vulnerable pedestrians (older, younger or disabled) as well as the user.

E-scooter trials will be underway by the end of August 2020 for 12 months. While the scale and rapidity with which these have been introduced is problematic, they do provide the opportunity to gather information specific to the UK transport system. We expect the Government to review the findings within a Safe Systems framework. The implication is that if MMVs are to be permitted on the road (e.g. because there is sufficient demand), Government will have to adjust the transport system by re-allocating road space away from motor vehicles. This would also support its strategic priority to accelerate a modal shift towards active transport by improving the environment for walking and cycling.

2.2 If you can, please provide evidence to demonstrate the potential:

a) Benefits of micromobility vehicle use

Walking should be peoples' first choice for short everyday journeys. MMVs could provide an alternative to short journeys by car that are a bit far to walk (e.g. 2 to 5 miles) alongside active travel by bicycle and the use of electrically assisted pedal cycles. It is unlikely that older or disabled people unable to walk a mile of their journey will be able to balance effectively on MMVs; mobility scooters, electric bikes (EAPCs) and electric tricycles provide suitable alternatives. This is the best-case scenario for reducing congestion from motor vehicles.

However, a recent study by the Danish Road Safety Agency and a survey by Brussels Mobility both show that e-scooter trips primarily replace trips on foot and by public transport[2]. The same shift occurred in Paris where people used e-scooters mainly to replace walking, cycling and Metro trips[3]; the operator Lime note that just under 10% of journeys would have otherwise used vehicles (including personal cars, taxi, hailed, and shared driving services)[4]. Even in the United States where walking infrastructure is often missing, a survey of users in Wake County California found that 49% would have biked or walked, 34% would have used a car or ride-share service, and 11% would have taken a bus[5]. Investigating the environmental impacts of shared dockless electric scooters the authors found they could in fact lead to a net increase in global warming impact compared to other transportation methods - because of the materials (e.g. batteries), manufacturing, and use of vehicles for e-scooter collection for charging and repairs.

(b) Risks of micromobility vehicle use

Analysis above shows how the use of shared e-scooters, and by extension MMVs could replace walking journeys. The messaging around MMVs and Mobility As A Service (MAAS) needs to shift

[2] See https://etsc.eu/itf-report-recommends-action-on-safety-of-e-scooters/
[3] See https://www.itf-oecd.org/are-e-scooters-good-or-bad-environment
[4] See https://www.li.me/hubfs/Assets/LIME_ENG_Paris%20Sustainability%20Report_11OCT2019_RGB.pdf
[5] Joseph Hollingsworth *et al* 2019 *Environ. Res. Lett.* **14** 084031

around the use of MMVs for the 'first and last mile'[6]; "the aim of the scooters is to solve the issue of the last mile – the final part of a journey which isn't covered by public transport..."[7]. This is a distance that can easily be walked (80% of trips under one mile are currently walked[8]) and, arguably, should be walked by those who can. MMV users are predominantly young men[9]. Walking is healthier, cheaper (free), more energy efficient, more space saving and produces zero emissions compared to using a scooter.

However, the greatest risk of MMV use is to the safety of the people riding them and other road users - of whom pedestrians are the most vulnerable. Riders are just inches away from the road on MMVs such as e-scooters and skateboards. E-scooters have 8-inch wheels which will not protect users wheeling on potholes, especially since riders are unlikely to be wearing protective equipment. Potholes are already a serious issue in the UK. In 2016 the LGA claimed it would take 14 years to clear the backlog of potholes in England, despite councils fixing almost 2 million per year[10]. Between 2007 and March 2018, 400 cyclists were killed or seriously injured in the UK due to poorly maintained roads[11], the figure is likely be much higher for MMVs.

Our concern is that people will ride MMVs on pavements, either because they are scared to use the road or just because they can. The speed, acceleration and fact that e-scooters are very quiet are all going to cause alarm and potential danger to pedestrians – especially children, older adults, and people with sight or hearing loss. The Royal Society for the Prevention of Accidents has suggested that e-scooters could pose a "significant public health problem"[12]. There have been two deaths so far in London[13] and high levels of injury reported elsewhere – in 2019 ROSPA reported that an estimated 1500 people had sustained an e-scooter related injury in the US since 2017.

Dockless rental schemes cause obstruction and are a trip hazard. MMV parking must be placed in the carriageway; when placed in the footway it invites people to scoot or skate on the pavement. Extra space for walking and cycling/scooting (re-allocated from the carriageway) is required for the safe use of MMVs.

2.5 Mobility scooters and pedestrian operated street cleaning vehicles are already permitted on

[6] See https://www.standard.co.uk/tech/electric-scooters-uk-popular-legal-future-of-transport-a4190031.html
[7] See https://www.standard.co.uk/tech/electric-scooters-uk-popular-legal-future-of-transport-a4190031.html
[8] National Travel Survey (2018) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823068/national-travel-survey-2018.pdf
[9] See https://www.bloomberg.com/news/articles/2019-12-05/most-electric-scooter-riders-are-men-here-s-why
[10] See https://www.itv.com/news/2016-10-29/repairing-all-roads-in-england-would-take-14-years-say-new-figures/
[11] See ROSPA (2019) https://www.rospa.com/rospaweb/media/Documents/Road%20Safety/road-safety-factsheet-e-scooters.pdf
[12] See ROSPA (2019) https://www.rospa.com/rospaweb/media/Documents/Road%20Safety/road-safety-factsheet-e-scooters.pdf

[13] See https://www.independent.co.uk/news/uk/home-news/electric-scooter-crash-london-beckenham-emily-hartridge-death-battersea-a9005416.html

the footway. Should any other micromobility vehicles be permitted to use the pavement or pedestrian areas? If so, which types of devices should be permitted and in what circumstances?

None of those illustrated in Figure B. They are all capable of moving at speeds significantly faster than 4mph – unlike mobility scooters and street cleaning vehicles currently permitted on the pavement. Children under ten years old cycling and bicycles used as mobility aids e.g. electrically assisted tricycles could be exempted with the proviso that they must not travel at more than a walking pace. The storage of MMVs for rental purposes must not inconvenience or cause obstruction for pedestrians. We do not support dockless hire schemes and would encourage the reallocation of parking space for the storage of MMVs.

Flexible bus services

3.12 What areas of bus, taxi and private hire vehicle framework should we consider in the future stages of the future of transport regulatory review?

The review should consider how bus, taxi and private hire services - together with walking and cycling networks - can be integrated with rail services to improve transport in rural areas. There is ample research to show how this has been successfully achieved for example in Germany or Denmark[14].

Mobility as a service

4.1 Role of Government – In your opinion, in the development of Mobility as a Service platforms, what should be the role of local authorities, central government, or other transport authorities?

The role of Government is to clearly define the transport outcomes that it wants to achieve and to provide the appropriate direction for emerging technologies and markets. That means the outcomes we all want to see - more people walking and cycling – must sit prominently in MAAS platforms as well as in all central, regional and local government transport policies, strategies, plans and investment (e.g. increasing road space for active travel or creating low traffic neighbourhoods).

MAAS platforms present an opportunity to integrate transport modes in a way that has not been done before. For example, could systems be weighted so that the public health benefits and environmental costs (and preference given to transport modes and fares) are attached to the space, energy and emissions consumed per mode per person? Apps such as 'Changers – Co2 Fit[15]'already

[14] See for example Quality of Life and Public Management (2013) by John Whitelegg.
[15] See https://changers.com/

do something similar by measuring distances individuals travel by public transport, bike or walking and calculating and the amount of carbon dioxide saved in the process. Walking (and cycling) should be presented as the most desirable option for shorter journeys, followed by sustainable public, community and shared transport transport. As we move through and beyond the pandemic, a sustainable, inclusive transport network will enable us to reduce private car use and decarbonise transport, to tackle the increasingly urgent climate emergency, and create stronger, healthier, happier communities, with less pollution and more equal access to opportunities.

For more information, please contact:

Rachel Lee

Policy and Research Manager at Living Streets

Rachel.Lee@livingstreets.org.uk