



House of Commons
Transport Committee

**E-scooters: pavement
nuisance or transport
innovation?: Government
Response to Committee's
Third Report of Session
2019–21**

**Third Special Report of
Session 2019–21**

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Transport Committee

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Third Special Report

The Transport Committee published its Third Report of Session 2019–21, [*E-Scooters: pavement nuisance or transport innovation?*](#) (HC 255) on 2 October 2020. The Government response was received on 2 December 2020 and is appended below.

Appendix: Government Response

Introduction

This paper sets out the Government's response to the Third Report of Session 2019-21 (HC 255), on electrically powered scooters, known as e-scooters. The Government welcomes the Committee's report at a time when we are introducing time-limited on-road trials of this new mode. We would like to thank the Committee for the broad base of evidence they have collected and the consideration provided by respondents and witnesses alike.

E-scooter trials will run until the Autumn of 2021 and help build a comprehensive evidence base which we will analyse alongside the information in the Committee's report as well as findings from wider public stakeholder engagement. Ultimately, this evidence will inform our decisions on whether to proceed with any legislative changes and—if so—on what basis.

Below, the Committee's recommendations are in ***bold, italicised*** text, followed by the response from the Government.

Re-assessing the legal status of e-scooters

The Department for Transport's focus must be on developing and implementing a sensible and proportionate regulatory framework for legal e-scooter use, drawing on lessons from other countries, which ensures that potential negative impacts on pedestrians and disabled people are avoided. (Paragraph 16)

The Government partly agrees with this recommendation. An appropriate and effective regulatory legal framework for e-scooter use will, of course, be a priority and work is underway to understand, for example, the lessons that can be gleaned from other countries and a variety of stakeholders. However, the prior stage is to fully understand the impacts—both positive and negative—of this new mode. Only then will the Government make any decisions about legislating for the long term and the regulatory underpinning to ensure e-scooters are used as safely and efficiently as possible. Evaluation of e-scooter trials across the country will provide us with the evidence needed about their impacts as well as what cities and other stakeholders consider the most appropriate regulatory framework to be.

The Department, working with local authorities, must collect data during the rental trials on the modal shift observed with e-scooters. Should privately- owned e-scooters and rental e-scooter schemes be fully legalised, the Department should use this evidence base to publish its aspirations for modal shift in the medium to long term, with particular focus on how people can be encouraged to switch from the car to an e-scooter for some short journeys. (Paragraph 35)

The Government agrees with this recommendation. The types of modal shift e-scooters induce will be a key metric of 'success'. Evaluation from overseas suggests that e-scooters can and do achieve very good levels of mode shift away from private car and taxi journeys. For instance, in Portland, Oregon, 34% of shared e-scooter users surveyed in 2018 said they would have driven a personal car or hailed a taxi if they had not taken an e-scooter for their most recent trip. But local factors—such as availability of reliable mass transit—can be expected to make a significant difference. Evaluation of circa thirty diverse e-scooter trials across England will allow for a robust assessment of the impact on mode shift e-scooters will be likely to have if they are legalised in the long run. Trip data will be made available for Government evaluation for every journey undertaken during trials and users of trial e-scooters will be surveyed and interviewed to understand the detail around the journeys they have made and the alternatives modes they would otherwise have taken.

Accessibility of e-scooters

Should the Government legalise e-scooters following the trials, users should not be required to have a driving licence either for rental schemes or private use. This would be consistent with practice in most other places around the world. (Paragraph 51)

The government partly agrees with this recommendation. The requirement for users of e-scooters to hold some form of driving licence is as a result of existing primary legislation related to 'motor vehicles', which trial e-scooters remain categorised as. However, given the lack of reliable evidence, globally, on the safety of e-scooters and with much still to learn about the factors which can positively influence the safety of both e-scooter users and non-users alike, the Government will consider all the evidence from trials before making any specific decisions on this matter, should e-scooters be legalised in the long run.

Safety risks and regulation

In its Response to this Report, the Department should clarify what principles it expects local authorities to follow when determining e-scooter speed limits in certain areas. (Paragraph 72)

The Government agrees. When considering what an appropriate maximum speed for e-scooters in trial areas should be, the Government looked at speed limits applied overseas and also consulted national stakeholders. The general view was that a maximum of 15.5mph was appropriate. However, the Government has made clear to local authority trial areas and their e-scooter operators that local knowledge should be applied to determine where speeds below this maximum should apply.

For instance, in busy city centres or particularly contested pieces of road space where multiple road users come together. Trial areas have used their knowledge of local geography and specific local features to agree speed limits below the maximum based on this approach. And local areas are able to work with their operator/s to use geo-fencing technology to introduce variable maximum speed limits accordingly.

In responding to this Report, the Department should clarify how it intends to monitor whether e-scooters during the rental trials are being ridden on pavements and the number of users penalised for this offence and that it has evaluated and identified effective measures to eliminate such antisocial behaviour. (Paragraph 100)

The Government agrees with this recommendation. Pavement riding of rental e-scooters in trial areas is illegal and is a genuine cause of anxiety for pedestrians, including vulnerable road users. Trial areas and e-scooter operators have had it made clear to them that incidents such as pavement riding should be minimised and to deploy all available tools to do so. This includes using geo-fencing technology, ensuring users of e-scooters are fully aware of the legal basis for use and potential consequences if the law is broken, and using behavioural—or ‘nudge’—techniques to encourage user compliance.

Understanding the extent of pavement riding and how it can be mitigated are important questions for the e-scooter trial evaluation programme. The Government is therefore considering a range of options to monitor its extent, including use of camera sensor data in trial areas and data from trials of new onboard sensor devices, already installed by two operators in trial areas to detect when pavement riding takes place and determine who was riding the e-scooter at the time. If successful, this technique could allow for users who repeatedly ride on the pavement to lose their e-scooter account. The Government will consider this, and a variety of other possible approaches and their efficacy, across the duration of the trials.

Should privately-owned e-scooters be legalised, the Government should ensure that the law clearly prohibits the pavement use of e-scooters, that there are robust enforcement measures in place and that such measures are effective in eliminating this behaviour. (Paragraph 101)

The Government agrees with this recommendation. Although no decisions have yet been made about whether to legalise e-scooters and will only be determined once evidence from on-road trials is analysed, should the government choose to legalise this new mode in the long run, pavement use would remain prohibited. The law is clear that with only a few special exceptions (such as speed limited mobility scooters), the pavement should be reserved for pedestrians and not used by vehicles, including cycles. This should remain the case *if* e-scooters are legalised.

The Department, working with local authorities, should closely monitor the trials to determine whether any problems are developing with scooters being left on pavements as ‘street clutter’. If so, the Department will need to trial and evaluate whether stronger regulation to specify where users must deposit rental e-scooters after their journey is effective in eliminating these problems. This ought to be done before making a decision on whether to legalise rental e-scooters on a more permanent basis. (Paragraph 109)

The Government agrees with this recommendation. The issue of e-scooters contributing to street clutter is a genuine, valid concern for many members of the public, but particularly for those who are blind or visually impaired. A range of different approaches to e-scooter deployment and operations have been encouraged across e-scooter trial locations to help understand the implications of each. Free floating models, for example, whereby users can set down the vehicle after use in a very wide range of acceptable locations create convenience for users. However, they also run the risk of increasing ‘street clutter’ and contributing to obstructions which can be of particular risk to vulnerable road users. Use of docking infrastructure creates a more ordered parking environment for e-scooters, but may limit convenience to some extent and has cost and planning implications for local areas. A middle way, also being tested in national e-scooter trials, may be geo-fenced parking areas, which allow user journeys to end only when vehicles are parked in agreed zones.

The trials are being constructed to allow for views and insights from a broad range of stakeholders to be heard, including users and non-users of e-scooters (including people who are blind or visually impaired) and from the towns and cities that are running trials with operators. If the Government chooses to legalise e-scooters in the long run, these insights will help ensure that any regulatory framework is suitably robust.

Environmental impact

We recommend that local authorities involved with the trials make it a condition that e-scooter companies seeking to participate operate in an environmentally sustainable way, both in terms of the design lifetime of their scooters and the processes used to recharge batteries. (Paragraph 122)

The Department should closely monitor the environmental impact of e-scooters during the rental trials and, if needed, consider introducing stricter requirements around sustainability. (Paragraph 123)

The Government partly agrees (21). E-scooters have the potential to provide a sustainable form of travel across the country. They have a low environmental impact and carbon footprint when compared, for example, to private cars and they contribute very little to noise pollution and result in zero tailpipe emissions, which could help contribute to improved air quality, if legalised. However, the overall environmental sustainability of e-scooters will be significantly influenced by vehicle design, the materials used and operational procedures adopted. The Government is pleased that a number of operators taking part in national trials are opting to use vehicles with swappable batteries, and that greener forms of transport (such as e-cargo bikes, bikes with trailers and e-vehicles) are being used by a number of companies to redistribute vehicles, for maintenance works and to collect and charge vehicles without swappable batteries. We also note that the longevity of e-scooter vehicles has been reported to have increased significantly across the last three years, and that, when they reach the end of their rental service, many companies recondition and sell on vehicles.

However, the Government guidance for areas taking part in trials—which preceded the TSC enquiry and this recommendation—requested that local areas consider relevant local level policy objectives were set out when designing trials and selecting operators. In many cases this led to local objectives around carbon reduction and improved air quality being cited, but it was not a condition set by the Government (see <https://www.gov.uk/government/publications/e-scooter-trials-guidance-for-local-areas-and-rental-operators/e-scooter-trials-guidance-for-local-areas-and-rental-operators#eligibility-and-dft-trial-requirements>).

If trials prove to be successful and the Government chooses to legalise e-scooters in the long run, then environmental sustainability will undoubtedly be a key consideration. As such, the Government agrees with the recommendation (22) that environmental impacts be monitored. This forms a key component of the cost benefit analysis that third party research contractors will produce for national e-scooter trials, and which will help inform any longer term policy decisions.

Evaluation and next steps

We recommend that the Department publishes its central evaluation framework for the rental trials, in order to ensure full transparency and scrutiny of the policy development process. (Paragraph 130)

The Government agrees with this recommendation. The monitoring and evaluation contract has now been awarded and the fine detail of the framework for evaluation is being finalised. Once finalised it will be made publicly available, indeed, it has already been discussed with several external stakeholders (such as vulnerable road user representative groups) to ensure their concerns and priority research questions are captured.