

# Deputy Lord Mayor (Councillor Martin) - MoN - Micro Mobility Insurance

Tuesday, 24 October 2023  
Council

**Council Member**  
Deputy Lord Mayor (Councillor  
Phillip Martin)

**Contact Officer:**  
Iliia Houridis - Director City  
Shaping

Public

## MOTION ON NOTICE

**Deputy Lord Mayor (Councillor Martin) will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:**

That Council;

Requests the Administration:

1. Review permit conditions for commercial operators of micro mobility devices for hire in the City of Adelaide, including eScooters and e-bikes, to make it a requirement that insurance covers third parties involved in a collision (pedestrians, vehicles and property) where the hirer is found to be at fault, regardless of whether the hirer is following the Terms & Conditions of the device/operator.

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## ADMINISTRATION COMMENT

1. There are currently 2 commercial eScooter operators with permits for the City of Adelaide, participating in the eScooter trial initiated by the State Government.
2. Both operators are required to hold public liability insurance for accidents or incidents, which are outlined in the permits issued to each operator by the City of Adelaide.
3. As outlined in the permit, matters regarding any claim or liability in relation to the devices are between the claimant, the rider and the eScooter operator (or their insurance company), not Council.
4. Mandating insurance coverage in situations where the parties involved are not following laws or agreed terms and conditions is difficult as it becomes a civil matter. This is not unique to micro-mobility devices, with insurance coverage for many activities (e.g. car accidents) differing if the rider/driver is at fault and found not to be following laws/conditions of use.
5. Administration are aware that in May 2023, certain eScooter operators amended insurance coverage across Australia to cover riders involved in an incident in relation to which they were in breach of local traffic laws, riding rules or permit restrictions. Previous terms had limited elements of insurance cover if a rider was found not to be abiding by the agreed terms and conditions.
6. It is expected this change will assist in facilitating recoveries by third parties injured (or whose property is damaged) in such an incident, where the rider themselves fails to meet their own liabilities arising from their acts or omissions in relation to the incident.
7. Should this Motion be successful, a review will be conducted to deliver on the intent of the Motion and standardise an approach across all micro-mobility operators issued permits in the City of Adelaide.
8. It is expected this may require legal review to ensure any altered permit conditions and insurance requirements are appropriate.
9. The outcomes of any changes will be shared with Council via eNews.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Administration will conduct the appropriate due diligence to ensure any changes to permit conditions and insurance requirements are legally appropriate and enforceable.
Impacts on existing projects	Not applicable
Budget reallocation	Not applicable
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	Not applicable
Other	Not applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4.5 hours.

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- END OF REPORT -