

E-scooter Trial Extension

Strategic Alignment - Our Places

Public

Tuesday, 20 February 2024

Infrastructure and Public Works Committee

Program Contact:

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Approving Officer:

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EXECUTIVE SUMMARY

The City of Adelaide (CoA) has been operating an e-scooter trial since February 2019. The current trial period is set to expire on 30 April 2024.

The State Government undertook public consultation on the future of e-scooters and other personal mobility devices (PMD) in South Australia between 11 April 2023 and 21 May 2023.

On 17 December 2023, the Minister for Infrastructure and Transport announced the outcomes of the consultation and advised that the State Government is now considering all feedback. Feedback will help inform any future regulatory or legislative changes relating to the use of e-scooters and other personal mobility devices (PMDs) in South Australia.

The timeframe for changes to existing Acts and/or Regulations is unconfirmed, but advice from the Department for Infrastructure and Transport (DIT) is that this will take over 12 months, so will be unlikely to occur until early 2025.

It is recommended that Council authorise the Lord Mayor to write to the Minister for Infrastructure and Transport to request an extension of the trial for a further 12 months from the date of this report (to 30 April 2025). This will allow e-scooter operations to continue in CoA whilst the State Government shared e-scooter trial and wider micromobility review is completed and legislative changes are made.

RECOMMENDATION

The following recommendation will be presented to Council on 27 February 2024 for consideration

THAT THE INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Authorises the Lord Mayor to write to the Minister for Infrastructure and Transport, requesting an extension to the e-scooter trial for a further 12 months until 30 April 2025 whilst the State Government review is finalised, and legislative changes are made whilst noting the trial has now taken five years and that legislation must be forthcoming.
2. Notes that the Administration will continue to review and amend the permit conditions as necessary to improve safety and efficiency of the e-scooter operations.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Places Community assets are adaptable and responsibly maintained
Policy	The draft Integrated Climate Strategy notes that transport emissions account for about 45% of the community’s carbon footprint and that increasing the range and uptake of low carbon transport options in the city is essential to meeting carbon targets and community expectations, and for creating liveable neighbourhoods. The Strategic Plan 2024-2028 includes a key action to increase active and diverse transport measure.
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Work with the State Government to draft legislation. Further safety, equity and supporting infrastructure opportunities following finalisation of a Micromobility Policy once the State position is confirmed.
23/24 Budget Allocation	Not as a result of this report
Proposed 24/25 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	The current Road Traffic (City of Adelaide Scooter Trial) Notice 2023 ceases operation on 30 April 2024.
23/24 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	In 2023/2024, e-scooter operators pay a \$1,622.30 permit fee per week to operate in the City of Adelaide.

DISCUSSION

Background

1. The City of Adelaide (CoA) has been operating an e-scooter trial since February 2019. For e-scooters to operate, ministerial approval is needed under the *Road Traffic Act 1961* and CoA can then issue business permits to fleet operators.
2. A report was presented to the Infrastructure and Public Works Committee at its meeting on 16 May 2023 ([Link 1](#)). At its meeting on 23 May 2023, Council resolved to extend the trial to 30 April 2024:
 1. *Authorises the Lord Mayor to write to the Minister for Infrastructure and Transport, requesting a final extension to the e-scooter trial for a further 10 months until 30 April 2024 whilst the State Government review is undertaken.*
 2. *Authorises the Lord Mayor to write to the Minister for Police, Emergency Services and Correctional Services as part of the State Government’s consultation process on personal mobility devices, highlighting the following matters to be considered:*
 - 2.1. *enhancing the controlled use and management of parking e-scooters on footpaths including the safety risk to pedestrians.*
 - 2.2. *the need for increased policing to enforce compliance with current laws until such time as new legislation is gazetted.*
 - 2.3. *a scheme that can support victims in the event of being hit by Personal Mobility Devices.*
 3. *Notes that the Administration will continue to review and amend the permit conditions as necessary to improve safety and efficiency of the e-scooter operations.*
3. The extension was published in the Government Gazette on 6 July 2023 ([Link 2](#)).
4. Pending Council’s decisions, permits for the current e-scooter operators can be extended periodically.
5. Following the State Government decision about the future of shared e-scooters and personal mobility devices (PMDs) and any legislative changes, tender preparation will commence, and CoA will go out to the market for micromobility operators. This way the operators that best meet the operating environment and State requirements can be sought.

State Government Review

6. A Select Committee of the Legislative Council was established to inquire into and report on Public and Active Travel. Its report was laid on the table of the Legislative Council on 7 February 2023 ([Link 3](#)).
7. The Report of the Select Committee included findings and recommendations about the use of e-scooters.
8. The Department for Infrastructure and Transport (DIT) sought community feedback between 11 April 2023 and 21 May 2023 on whether people would like the South Australian Government to allow use of e-scooters, e-skateboards and other PMDs on the road network ([Link 4](#)).
 - 8.1. A PMD can be defined as electric personal transporter, with one or more wheels, which is designed for use by one person and propelled by an electric motor. Motorised mobility devices (e.g. motorised wheelchairs) and power-assisted cycles are excluded from the review.
 - 8.2. Feedback will be used to inform draft legislative changes. CoA wrote a submission that highlighted Council’s previously raised concerns around the use and parking of e-scooters on footpaths as well as requiring more police enforcement of the laws around e-scooters and other PMDs, as Council does not have the authority to do so.
 - 8.3. The transport modes and their area of responsibility are listed below:

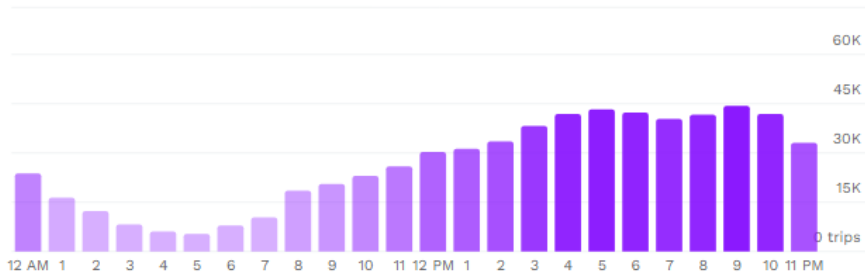
Shared Micromobility (via permit in CoA)		Personal Mobility Device (PMD)
Shared E-Scooters	Cycle Share	
Require approval from Minister for Councils to issue permits to commercial operators. Under the Road Rules, treated as a Personal Mobility Device.	Share bikes and shared e-bikes are treated as bicycles under the Road Rules and do not require Ministerial approval for permits.	Privately owned PMDs are not currently permitted for use on public roads and paths.

- 8.4. The timeline for the State Government’s review and any subsequent changes to Acts and/or Regulations cannot as yet be confirmed, but advice from DIT is that legislative changes may take up to 12 months from the date of this report.
- 8.5. Consultation feedback for the review received the highest support through the State Government ‘Your Say’ survey. Of the almost 2,000 respondents, 87% supported e-scooters and 76% supported other PMD’s (including e-skateboards).
- 8.6. Most organisations supported PMD use to a similar degree. Individual submissions were less enthusiastic, however a majority of submissions still supported use in some form.

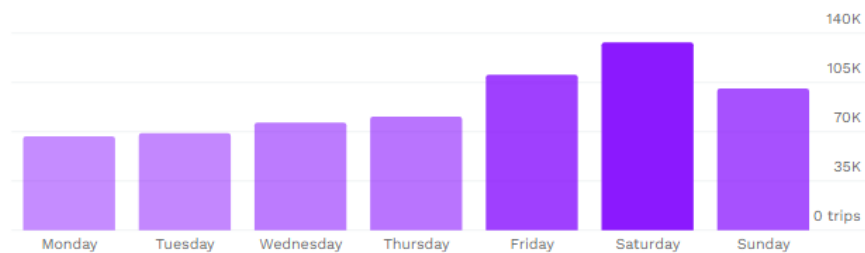
E-scooter trial

- 9. Shared e-scooters continue to provide city residents, workers and visitors with another transport choice for short trips and in combination with public transport.
- 10. In 2023, there were almost 640,000 e-scooter trips (on average over 1,750 trips per day) that started within CoA, and over 804,000 km travelled.
- 11. An e-scooter rider survey undertaken by Beam for CoA found that 42% of riders surveyed would have otherwise driven their trip.
- 12. Rider trip data suggests e-scooters play an important role transporting people to and from events and key city destinations such as the Adelaide Central Market. Trip data also indicates that shared e-scooter trips support the night-time economy, as shown in the following graphs:

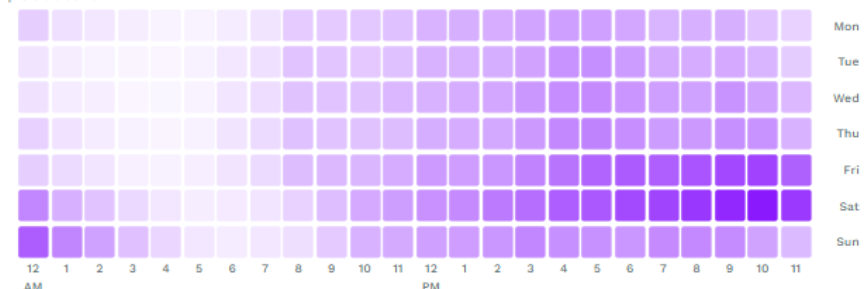
Trips By Hour | Starts | Adelaide and North Adelaide Trial Area | Scooters [Export CSV](#)

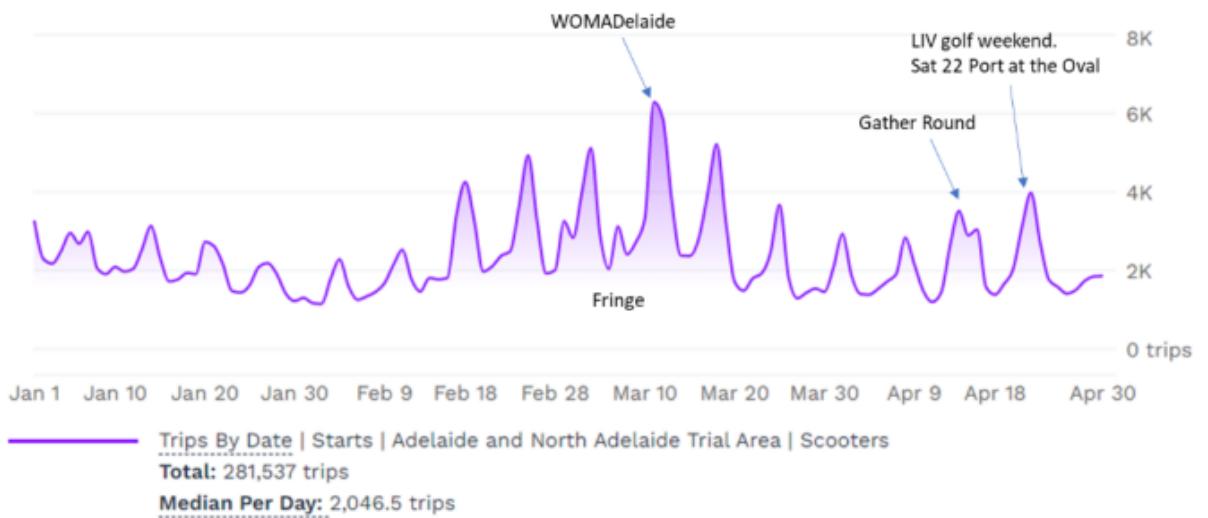


Trips By Weekday | Starts | Adelaide and North Adelaide Trial Area | Scooters Rounded to: 1/1/2023 – 12/30/2023



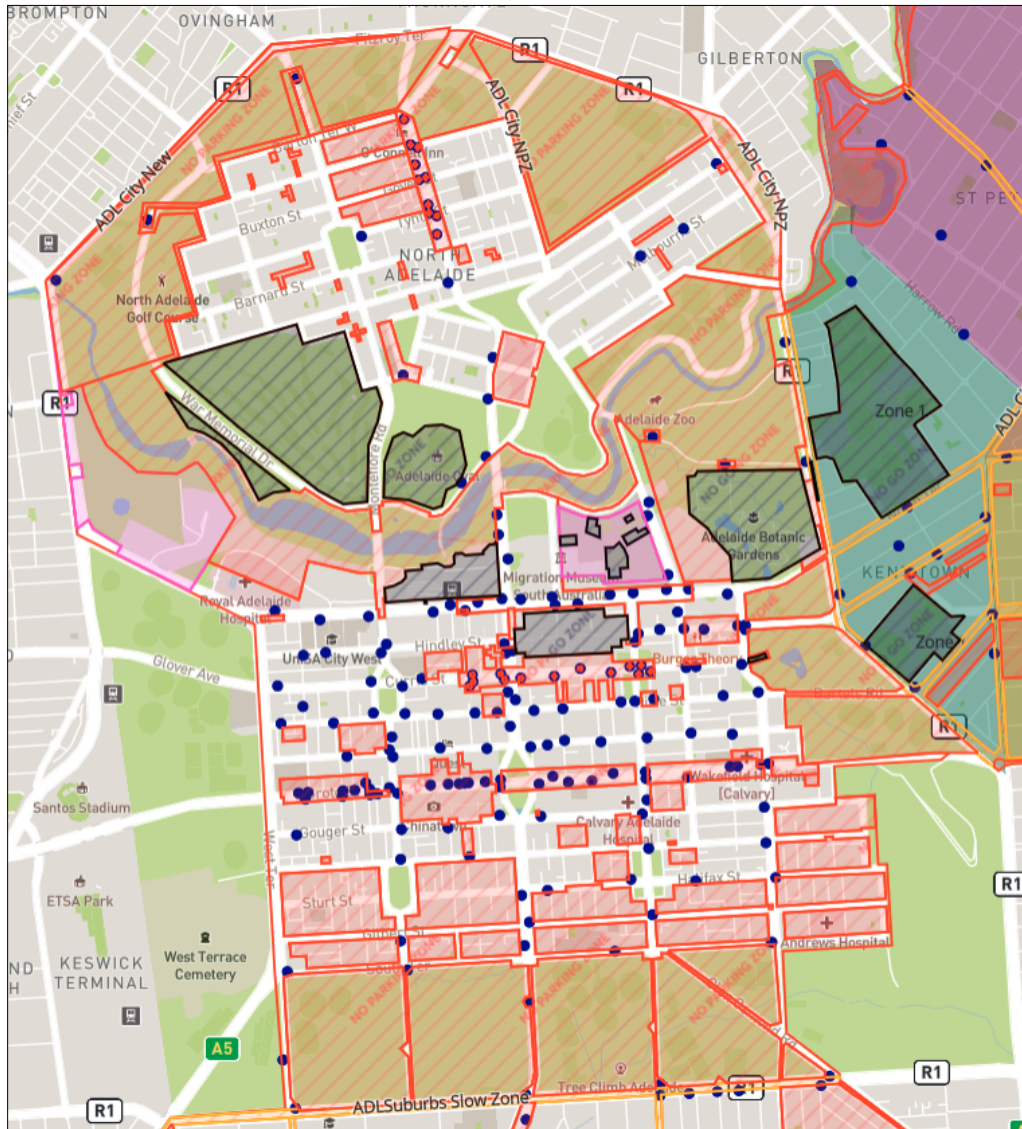
Trips By Hour & Weekday | Starts | Adelaide and North Adelaide Trial Area | Scooters Rounded to: 1/1/2023 – 12/30/2023





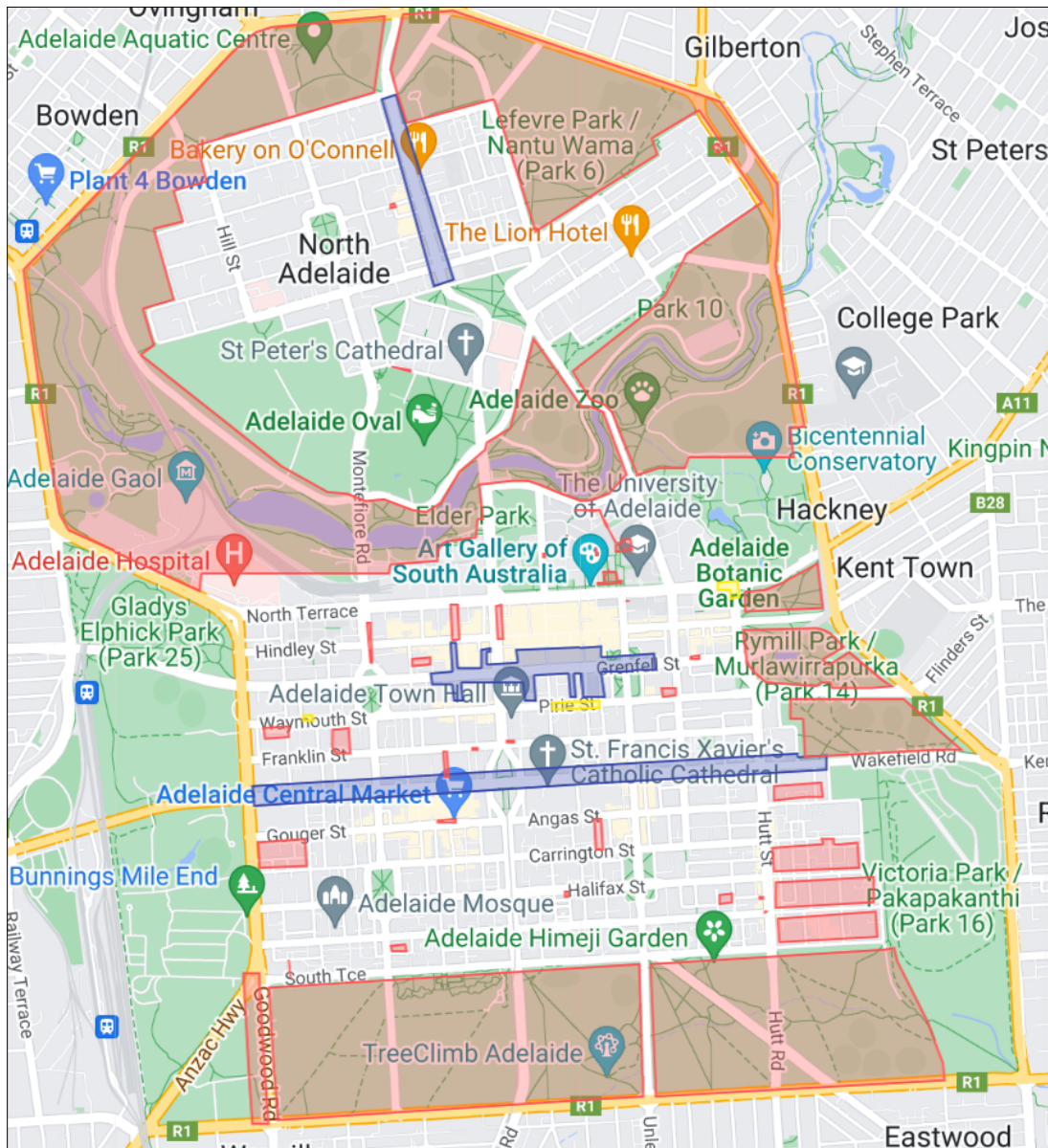
13. The current permits require operators to report on incidents. We have been advised that there has been a small number of crashes and even fewer involving third parties, with only a handful (per year) requiring medical treatment.
 - 13.1. In 2023 there were fourteen reported shared e-scooter injury incidents, ten of which have been rider only and four involving a third party.
 - 13.2. Three of the ten rider only incidents were confirmed to require medical treatment.
 - 13.3. The operators follow up with riders and as riders often do not call back, presumably most falls are without injury.
 - 13.4. Of the incidents involving a third party, one was confirmed to require minor medical treatment and one hospital treatment.
 - 13.5. For two of the incidents, details are still under investigation, although it is presumed injuries are minor, if any.
14. The report to Council on 13 December 2022 ([Link 5](#)) included the outcomes of the parking trial conducted in 2022.
15. Administration continues to work proactively with the operators to manage identified concerns and issues such as device parking.
16. As noted above, Council currently has limited rights for enforcement which is a key issue to be raised with the State Government during and beyond the trial period.
 - 16.1. The use of parking 'hubs' with physical infrastructure such as racks on footpaths or the repurposing of car parking space to create more formal, legible and potentially more ordered parking areas would require additional budget, operational impact and risk assessments and the trial to no longer be in place and instead permanent.

16.2. Beam have implemented the following parking controls as demonstrated in the map below:



- 16.3. No Parking Zones are shaded red, and No Riding Zones are shaded grey on the above map. These areas are defined based on their geofencing, operations capacity and resourcing.
- 16.4. Riders are not permitted to end their trip inside the red-shaded No-Parking Zones unless they are at the designated parking spot. If they abandon the scooter without ending the trip, a ten-minute penalty applies at the current per-minute riding rate.
- 16.5. The CBD has a number of QR-Code controlled parking spots where the rider is required to scan a ground-marked QR code before they can end their trip at these parking spots. The system provides additional accuracy of parking in high-pedestrian activity areas.

16.6. Neuron have implemented the following parking controls as demonstrated in the map below:



16.7. Designated parking areas are shaded blue on the map.

16.8. Slow-speed zones are shaded in yellow on the map.

16.9. No Parking zones are shaded in red on the map.

17. The current permit conditions allow Administration to request operators implement additional geofenced areas to manage parking, no ride zones and 'go slow' (reduced speed 10km/h) zones. Administration and operators continue to collaborate on this to seek better outcomes for all city users. However, 10km/h zones are not recommended across the city, but additional zones may be created based on the type of street and its uses and users.

17.1. Neuron has introduced 'go slow' zones along parts of Waymouth Street, Pirie Street, North Terrace and East Terrace at various times.

17.2. Beam has introduced 'go slow' zones along Pirie Street, Grenfell Street, North Terrace and East Terrace at various times and full-time 'go slow' zones for King William Street / Rundle Mall / Hindley Street intersection and Rundle Mall / Pulteney Street / Rundle Street intersection.

17.3. The current permit conditions have the maximum number of e-scooters to be deployed as 800 per day for each operator, equating to 1,600 in total. However, this is not the actual total number of e-scooters that are deployed each day as the operator has the ability to vary the number of e-scooters in operation dependent on demand, which varies dependent on the season and key events.

18. The permit conditions require operators to report on measures to increase sustainability of operations, including use of different vehicles such as cargo bikes to swap batteries.

19. Both operators now have insurance coverage that responds to incidents affecting innocent third parties, even in situations where the rider is riding illegally or against the terms and conditions.
20. Under each of the policies, payments to the affected third party would not be voided by the rider's action, but depending on the action of the rider, the insurer may seek compensation for the claim from the rider. This means that the liability risk of injuries to an innocent third party is transferred from the third party to the insurer and/or the rider.

The insurance policies in place have an excess payable by the e-scooter rider, however no excess is required for third parties should a claim be lodged and accepted.

21. There are three other Councils participating in the trial:
 - 21.1. The City of Unley has been operating an e-scooter trial since 14 February 2022. At its meeting on 23 January 2023, the City of Unley extended the trial to 14 February 2024. At its meeting on 29 January 2024, Council voted against continuing the shared e-scooter trial within the City of Unley ([Link 6](#)). As a result of this decision, both Beam and Neuron will be leaving the City of Unley area by 14 February 2024. Council raised concerns around clutter on footpaths and pedestrian safety and acknowledged limitations of the current e-scooter trial legislation.
 - 18.1.1. While similar concerns about safety are acknowledged to be an issue within the City of Adelaide, as noted in point 13, there are very few injuries. Measures to address poorly placed e-scooters have been introduced and further measures could be implemented.
 - 18.1.2. E-scooters play an important role in transporting people to and from events and key city destinations such as the Adelaide Central Market. A high number of shared e-scooter trips are also linked to public transport.
 - 18.1.3. On balance, the shared e-scooter scheme has many benefits and strategic alignment, supporting more sustainable, efficient transport outcomes and increased accessibility. The impacts on people walking/wheeling are far less than those from people driving and could be further addressed with improved controls and active transport infrastructure.
 - 21.2. The City of Norwood Payneham & St Peters (NPSP) has been operating an e-scooter trial since 13 May 2021. At its June 2023 meeting, Council endorsed the continued operation of the e-scooter permits for a further 18 months until 31 December 2024, and authorised their CEO to write to the Minister with the associated extension request.
 - 21.3. The City of Charles Sturt is running an e-scooter trial along the Coast Park shared use path and adjacent footpaths (Semaphore Park and Grange to West Beach), the Notice for which ceases operation on 31 October 2024.

Next Steps

22. Noting the advice provided to the Administration relating to the timeline for the State Government's review and any subsequent changes to Acts and/or Regulations it is recommended that Council authorise the Lord Mayor to write to the Minister for Infrastructure and Transport to request an extension of the trial for a further 12 months from the date of this report (to 30 April 2025). The correspondence will highlight that the trial has now taken five years and that legislation must be forthcoming.
23. This will allow e-scooter operations to continue in CoA whilst the State Government shared e-scooter trial and wider micromobility review is completed and legislative changes are made.

DATA AND SUPPORTING INFORMATION

Link 1 – Infrastructure and Public Works Committee Report, 16 May 2023

Link 2 – The South Australian Government Gazette 6 July 2023 (Notice No 2 of 2023)

Link 3 – Report of the Select Committee on Active and Public Transport

Link 4 – YourSAY page for State Government consultation on personal mobility device use in South Australia

Link 5 – Council, 13 December 2022

Link 6 – City of Unley Council minutes, 29 January 2024

ATTACHMENTS

Nil

- END OF REPORT -