

Report to the Future Melbourne Committee

Agenda item 6.7

Victorian Government shared e-scooter trial**1 June 2021****Presenter:** Richard Smithers, Team Leader Transport Strategy**Purpose and background**

1. The purpose of this report is to seek endorsement from the Future Melbourne Committee (FMC) for management to submit an Expression of Interest (EoI) to the Victorian Government E-Scooter Trial.
2. On 23 April 2021, the Victorian Government announced that it would select two metropolitan councils to participate in a one-year trial of shared e-scooters. On 3 May 2021, the Department of Transport (DoT) invited the City of Melbourne (CoM) to submit an EoI to participate in the trial along with the Cities of Moreland, Yarra, Bayside and Port Phillip. The EoI is due by 4 June 2021. Successful councils will be announced later this month.
3. The CoM Transport Strategy 2030 supports micro-mobility trials which deliver public benefit. If this report is endorsed and CoM is successful, management would seek EoIs from e-scooter operators to enter into agreements to operate one or more shared e-scooter schemes to be launched in Spring 2021.
4. E-scooter use is growing strongly in Melbourne and around the world. Many jurisdictions are running trials and changing laws to encourage and manage e-scooter use. Most e-scooters are not legally able to be used in Victoria as they are too powerful (greater than 200 watts) and can travel faster than 10 kph.

Key issues

5. Given the current post-covid economic conditions in the CoM, e-scooters could make an economic contribution as an attraction in their own right and a potentially popular, Covid-safe transport option for trips to and around the city. The scheme would generate local employment as well as stimulate economic growth through providing new connections between businesses and people for a variety of trip purposes. E-scooters are space-efficient and well suited to busy central city areas. Participating in a trial would put CoM at the forefront of learning about the best way to integrate new technology and micro-mobility into the city and in a good position to influence the likely future legalisation of e-scooters.
6. The trial will only legalise shared e-scooter fleets managed by companies which have agreements with councils participating in the trial. This will allow councils to require high standards of e-scooter management to protect the amenity of the city.
7. Operation of the fleets will be regulated by new Victorian Government rules (see Attachment 2). The new proposed rules include: 20 kph speed limit; ban on footpath riding; e-scooters permitted on streets with speed limits up to 50 kph, shared paths and bike lanes; riders subject to blood alcohol and drug use restrictions; riders to be over 18; and mandatory helmets.
8. Risks of participating in the trial include vandalism, road trauma, amenity impacts and public acceptance. Risks will be managed through developing agreements between CoM and e-scooter operators which avoid issues from eventuating where possible and require appropriate interventions when issues do arise. Agreements are likely to build on learnings from the current shared e-bike trial and include requirements for parking, helmet provision, go-slow and no-go areas, user training, high quality e-scooters, local maintenance personnel, reasonable employment conditions and initiatives to support local business.
9. If this report is endorsed, management would submit an EoI emphasising CoM's suitability for the trial. The submission would note that: the city has an excellent network of routes suitable for e-scooter use; it has intensive land uses which will promote e-scooter patronage; it has experience managing the shared e-bike scheme and that the central city is likely to be the most popular place for e-scooter travel in metropolitan Melbourne so it is logical to run a trial here.

Recommendation from management

10. That the Future Melbourne Committee:
 - 10.1. Congratulates the Victorian Government on launching the shared e-scooter trial and providing the opportunity for the City of Melbourne to submit an Expression of Interest.
 - 10.2. Notes that City of Melbourne's Transport Strategy 2030 supports micro-mobility trials which deliver public benefit.
 - 10.3. Endorses management submitting an Expression of Interest for City of Melbourne to participate in the shared e-scooter trial in line with this report.
 - 10.4. Seeks a further report on management's approach to planning and launching a shared e-scooter trial, should the City of Melbourne's submission be successful.

Attachments:

1. Supporting Attachment (Page 3 of 6)
2. Safety-based e-scooter trial regulatory parameters from DoT (Page 4 of 6)

Supporting Attachment

Legal

1. Proposed legislative and regulatory changes by the DoT will legalise the use of e-scooters for the purposes of this trial. These changes would only apply to vehicles operated by an approved shared e-scooter company which has an agreement with a Local Government as part of the trial. Should a Local Government choose to discontinue an agreement with an e-scooter operator, this would remove the operator's ability to operate legally and for users to use their e-scooters legally.
2. Private e-scooter use would continue to be subject to current speed and use restrictions.

Finance

3. Submitting the EoI for the shared e-scooter trial would be delivered within the existing budgeted resources.

Conflict of interest

4. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Occupational Health and Safety

5. Any occupational health and safety risks which arise due to the shared e-scooter trial are expected to be able to be managed through the trial rules developed by the Victorian Government, through agreements developed with e-scooter providers and via the steering committee which will be set up to evaluate the trial and will include the Transport Accident Commission, Victoria Police, the DoT and successful councils. The cities of Melbourne, Yarra and Port Phillip currently have an MoU with the operators of the shared e-bike scheme running in the three council areas. This has been successful in managing OH&S and other issues since scheme was re-launched in December 2020.

Stakeholder consultation

6. No direct consultation has been undertaken in the preparation of this report. Extensive consultation was undertaken with stakeholders and the broader community during preparation of the Transport Strategy 2030.
7. The State Government has consulted with key stakeholders such as the TAC and Victoria Police in the development of the rules which will govern the trial.
8. If successful in the EoI, CoM would develop a consultation and engagement plan as part of preparation for the launch of a shared e-scooter scheme.

Relation to Council policy

9. The recommendation is consistent with the Municipal Public Health and Wellbeing Plan contained within Council Plan 2017-21 in that it will facilitate opportunities for people in the Melbourne municipality to live more active lifestyles.
10. The CoM Transport Strategy 2030 supports micro-mobility trials that deliver public benefit.
11. This recommendation is consistent with the draft Economic Development Strategy 2031. It is hoped that it will make a number of economic contributions including boosting Melbourne's reputation as a place for

innovation, attracting people into the city, job creation in its own right and improving the connections between people leading to greater economic activity.

12. This recommendation is consistent with the CoM Covid-19 Reactivation and Recovery Plan. The launch of a new, popular, fun transport mode is expected to contribute to reactivating the city.
13. This recommendation is also consistent with the CoM Startup Action Plan 2017-21 by establishing the CoM as a place for innovation.

Environmental sustainability

14. The recommendation supports Council's commitment to lower carbon intensive modes of transport and transition to electric vehicles, as outlined in Council's Climate Change Mitigation Strategy (2018).

Safety-based e-scooter trial regulatory parameters

1. E-scooters will be limited to using low-speed roads (up to and including 50 kilometres per hour), bicycle lanes, bicycle paths, separated and shared paths (on the bicycle side, if specified) (3 penalty units).
 - a. Note the 50km/h road limit always applies – i.e. you can ride an e-scooter in a bicycle lane provided that the lane is on a road with a speed limit of 50km/h or less.
2. E-scooters will not be permitted on footpaths (but are allowed on separated and shared paths) and high-speed roads (i.e. where the specified speed limit is above 50 kilometres per hour) (3 penalty units).
3. E-scooters must have a maximum speed of and not travel in excess of 20 kilometres per hour (3 penalty units).
4. E-scooter riders will be subject to blood alcohol content (BAC) and drug use restrictions applying to other motorists under the *Road Safety Act 1986* (penalties as per *Road Safety Act 1986*).
 - a. While a driver licence is not required to operate an e-scooter, the penalties that apply under the RSA for breaching BAC/drug use restrictions will apply to the e-scooter rider's licence, should they have one.
5. A person must not consume alcoholic beverages while travelling on an e-scooter (5 penalty units).
6. Users must wear a helmet when operating an e-scooter (5 penalty units).
7. E-scooter riders must be at least 18 years of age (3 penalty units).
8. E-scooter use should be restricted to specific local government areas (LGAs) (3 penalty units).
9. Only e-scooters operated by share scheme commercial operators within participating LGAs can be used (no private e-scooters) (3 penalty units).
 - a. '*Commercially operated share scheme*' is defined in the regulations as "a joint arrangement between a Council and a commercial operator to provide electric scooters for hire on a short-term basis to members of the public."
10. E-scooters must meet certain physical and hardware requirements (i.e. must have 2 wheels; built to transport one person while standing; is steered by means of a handlebar etc.). E-scooters are treated in the same way as bicycles in relation to brakes, warning device (bell), lights, reflectors, etc (2-5 penalty units).
11. E-scooter riders must adhere to certain behaviours, including that riders:
 - a. have proper control at all times and ride with due care and reasonable consideration for road users and pedestrians (5 penalty units)
 - b. use a warning (e.g. bell, horn or verbal) to avert danger
 - c. not ride two abreast (3 penalty units)
 - d. not carry passengers (3 penalty units)

- e. give way to pedestrians (where appropriate, i.e. on a shared path; and keep left unless impractical) (3 penalty units)
- f. not use a hand-held mobile phone whilst riding (10 penalty units)
- g. not lead an animal, including by tethering the animal to the e-scooter (3 penalty units).

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