

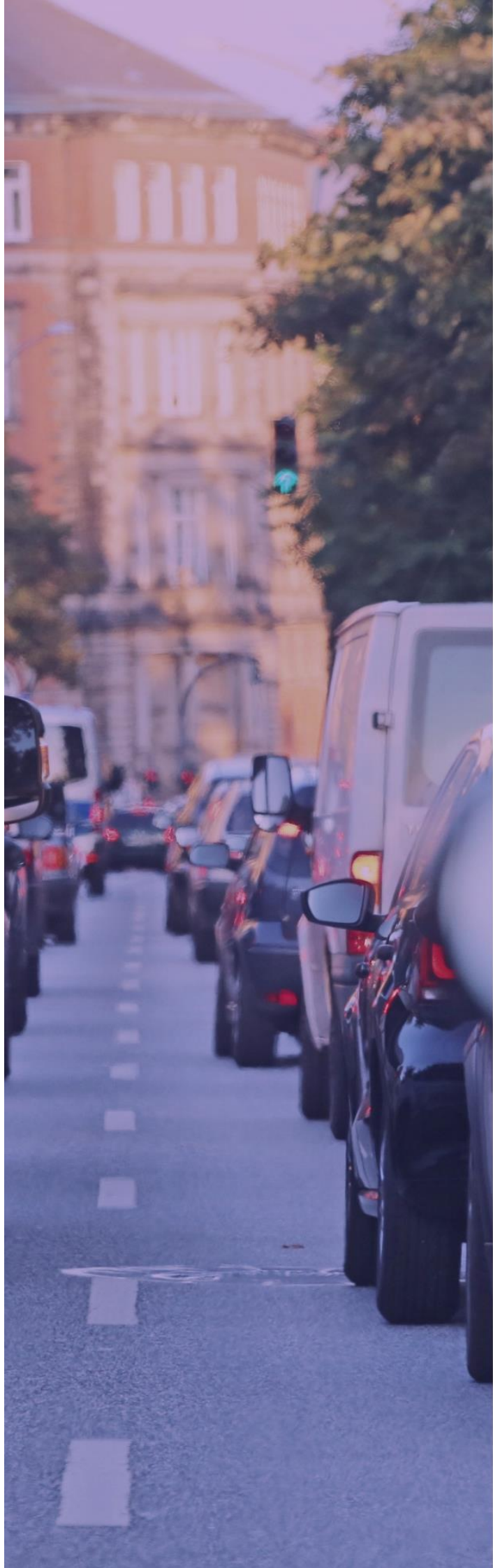


The future of e-scooters in the UK

The Association of Consumer Support
Organisations (ACSO)

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Foreword

Vulnerable road users are a central reason why we established ACSO in 2019. Before this, and as part of industry efforts to ensure that cyclists, pedestrians, horse riders and motorcyclists were not unfairly treated as a result of the government's whiplash reforms, we had already brought together representatives from all these groups to campaign together.

The Vulnerable Road User Group joined ACSO at our launch, and the issues it covers remain a core element of our day-to-day work. Members including Cycling UK, British Cycling, the British Horse Society, Living Streets, RoadPeace, Brake and the Motorcycle Action Group, as well as the many leading law firms who support them, play a central role in what we do, and we are very grateful to them all.

Today, no road safety debate is more prominent than that over the future of e-scooters, which are ubiquitous on our roads, especially in urban areas, ridden both legally as part of official schemes and – as the law currently stands – illegally. This report looks to explain what e-scooters are, how and why they are on our roads, what particular safety challenges they present and above all their current and future legal position. The context of this is important too,



following the April 2022 changes to the Highway Code and the welcome introduction of the hierarchy of road users.

That e-scooter riders are vulnerable road users is not in doubt. How this vulnerability is managed, and how they may increase the danger to others, is something that merits close scrutiny and open debate.

ACSO's intention is that this report and the work of our Vulnerable Road User Group will play an important role in this. I am particularly grateful to the report's author Alex Diaz, who has been with us on secondment from Lyons Davidson Solicitors, and to all those who contributed to this report (their names are listed later on).

Safety on our roads and the treatment and rehabilitation of those people who are injured on them every year is so very important. The future of e-scooters is too.

**- Matthew Maxwell Scott, Executive Director,
ACSO**



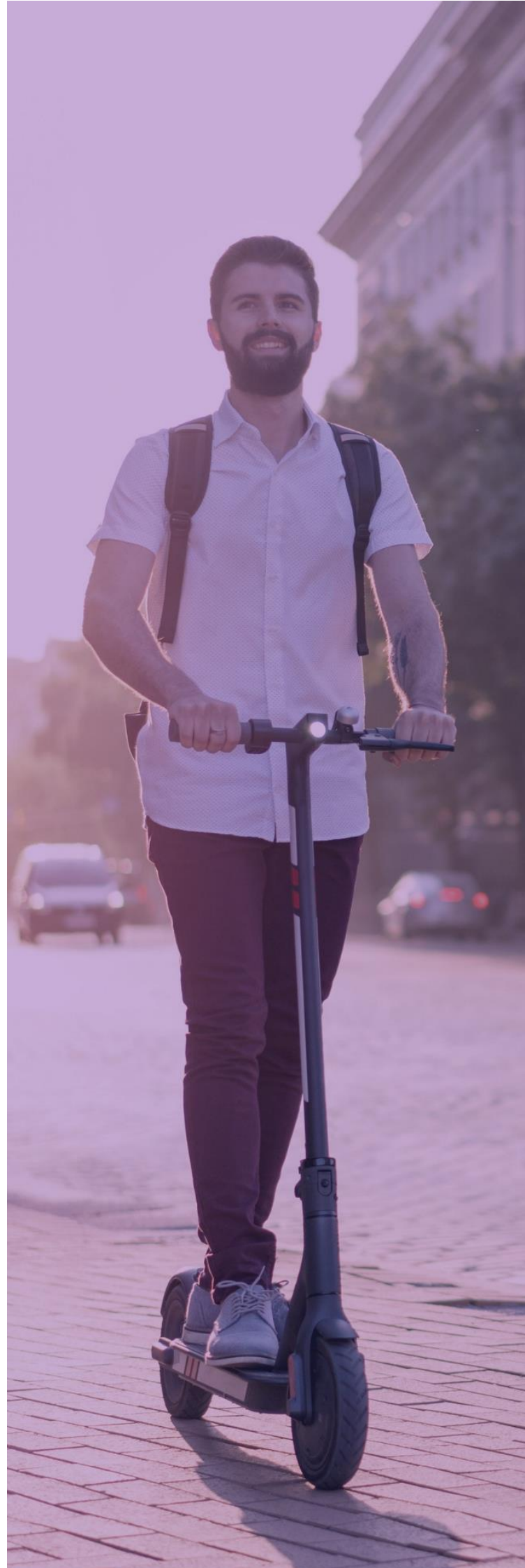
Introduction

The Association of Consumer Support Organisations (ACSO) represents the interests of consumers in the UK's civil justice systems. Its members and partners include organisations from across the legal and insurance sectors who provide the highest standards of service and support to consumers when they need it the most. ACSO engages positively with government policymakers, regulators and the media to help ensure there is a properly functioning, competitive and effective civil justice system for all.

As part of this work, ACSO represents vulnerable road users, children, protected parties and more generally anyone with a recognised vulnerability. One area of interest is the development in the law around e-scooters as road vulnerability affects e-scooter riders as well as some of the road users who share their space.

This report will discuss the current regulatory framework around the use of e-scooters, which is not reflected in ownership patterns and use on the road; namely, the fact that laws against private e-scooters ridden on roads are largely ignored. It will outline the proposed changes to make it easier to own and ride e-scooters. The report will also discuss the safety concerns that surround e-scooters. However, the main focus will be the impact the current regulatory status quo has on liability and the rights road users have if they are injured in an accident involving an e-scooter.

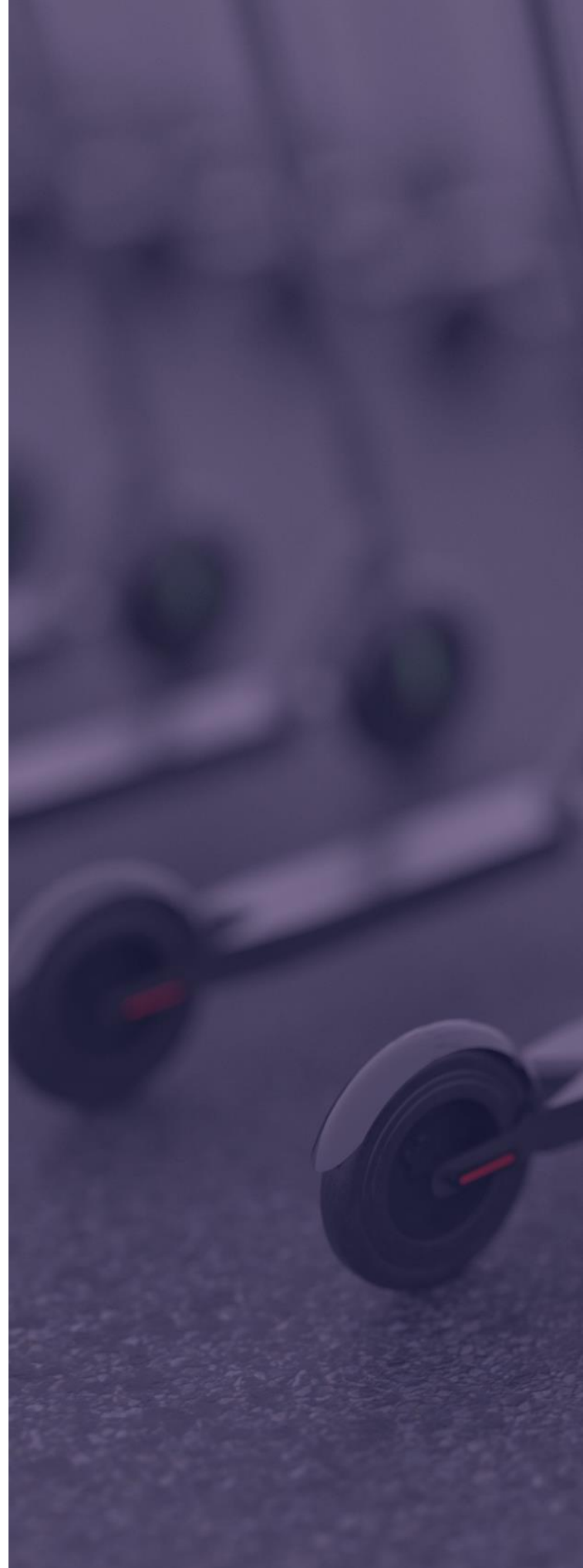
ACSO has partnered with various stakeholders in delivering this report, all of whom have offered their vision for how the legalisation of privately-owned e-scooters can be handled with care. At the end of the report is a list of ACSO's recommendations for how the process towards legalisation can be fulfilled.



What is an e-scooter?

The Department for Transport defines an e-scooter as a motor vehicle which:

- is fitted with no motor other than an electric motor;
- is designed to carry one person in a standing position with no provision for seating;
- has a maximum speed of 12.5 mph;
- has 2 wheels, one front and one rear, aligned along the direction of travel;
- has a mass, excluding the rider, not exceeding 35 kilograms;
- has means of directional control via the use of handlebars; and
- has means of controlling the speed via hand controls and its power control defaults to the 'off' position.¹



¹ Department for Transport, [Legalising rental e-scooter trials](#), 30 June 2020

Legal classification of e-scooters

As most road users will be able to attest, the use of privately-owned e-scooters has become a common sight. More than a million of them are believed to have been imported to the UK since 2018.² However, it is not permitted to use these on public roads, despite the ease with which they can be purchased online and from high street retailers.

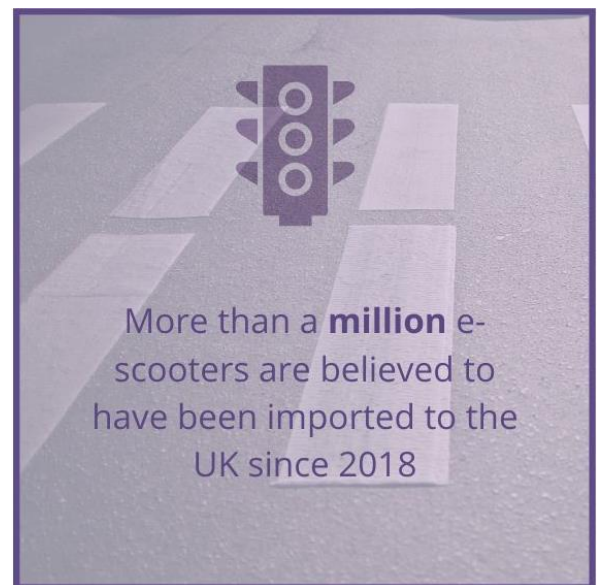
In July 2020, the Department for Transport (DfT) made regulations allowing trials of rental e-scooters to be fast tracked and expanded by companies working with local authorities across the country.³ The rental schemes expanded in 2022 and have seen widespread adoption across an increasing number of towns and cities nationwide.

Despite this, of the million or more e-scooters in the UK, only around 20,000 are being used by the 57 towns and cities with hire schemes currently in operation.⁴

In May 2022, the government announced a Transport Bill that is expected to legalise the use of private e-scooters on UK roads by 2023.⁵

If and when the law is changed to allow e-scooter owners to use their vehicles on the roads, it must keep vulnerable road users safe and permit injured parties to access redress. This ACSO report combines research and interviews with relevant stakeholders to

outline legislative changes affecting e-scooters and recommendations for when (or if) the market in private e-scooters is deregulated. Under the Road Traffic Act 1985, e-scooters are currently classed as motor vehicles. This means they must be insured, taxed, undergo MOTs and display lights and number plates. Privately owned e-scooters – that is, not those used in the rental schemes, which have at least third-party insurance – are not allowed on public roads and can only be ridden on private land. The penalties for riding a privately-owned e-scooter on public roads can include a £300 fine, six points on your driving licence and seizure of the vehicle by police.⁶ Despite the ban, in 2021 alone the Metropolitan Police Service (the Met) destroyed almost 2,000 confiscated e-scooters.⁷ Owners who want to retrieve their seized e-scooters have to pay a £150 fee, plus a £10 per day storage charge.⁸ In the same year, the Met spent around £400,000 storing confiscated private e-scooters.⁹



² The Times, [One million e-scooters on the roads: how riders are breaking the law at breakneck speed](#), 12 February 2022

³ Department for Transport, [E-scooter trials: guidance for local authorities and rental operators](#), 22 February 2022

⁴ Parliamentary Advisory Council for Transport Safety, [The Safety of Private E-Scooters in the UK: Interim Report](#), October 2021

⁵ BBC, [Private e-scooters: What should happen next?](#) 14 May 2022

⁶ British Safety Council, [E-scooter deliveries – advice to takeaway](#), November 2021 and T3, [Are electric scooters legal in the UK? Everything you need to know](#), 19 August 2020

⁷ My London, [Met Police spends £380,000 storing seized e-scooters and thousands get destroyed](#), 8

⁸ ITV, [E-scooters: More than 250 crashes in six months in London](#), 7 January 2022

⁹ My London, [Met Police spends £380,000 storing seized e-scooters and thousands get destroyed](#), 8 February 2022

Legal changes enabling the operation of e-scooter hire schemes

With e-scooter hire schemes launched across the country, numerous amendments were made to the law, including:

- Permission for e-scooters to be used in cycle lanes;
- Exemption from road tax;
- Riders not being required to wear helmets or undergo compulsory training to ride;¹⁰
- A maximum speed of 15.5mph, having an electric motor with a maximum continuous power rating of 500W, designed to carry a maximum of one person and have a combined mass totalling a maximum of 55kg;¹¹
- Riders must have a valid driving licence (or provisional licence), which they typically upload to the relevant hire scheme's app; and
- E-scooters must also be covered by a motor vehicle insurance policy, which in practice is provided by the rental operators.¹²

That certain citizens underestimate the legal requirements associated with riding e-scooters is illustrated by one case – among many others – of a woman in Cheltenham who decided to ride an e-scooter home as her taxi had not arrived to collect her after a night out, despite being over the drink-driving limit.¹³ The danger posed suggests that the rules around e-scooter use certainly needs to be better communicated, with the ease with which e-scooters can be hired suggesting insufficient checks as to who can ride them.



¹⁰ New Law Journal, [E-scooters: this is how we roll](#), 15 July 2020; Department for transport, [E-scooter trials: guidance for local authorities and rental operators](#), 22 February 2022

¹¹ [Ibid.](#)

¹² [Ibid.](#)

¹³ BBC, [E-scooter woman who rode while drunk on her dog gets driving ban](#), 27 April 2022

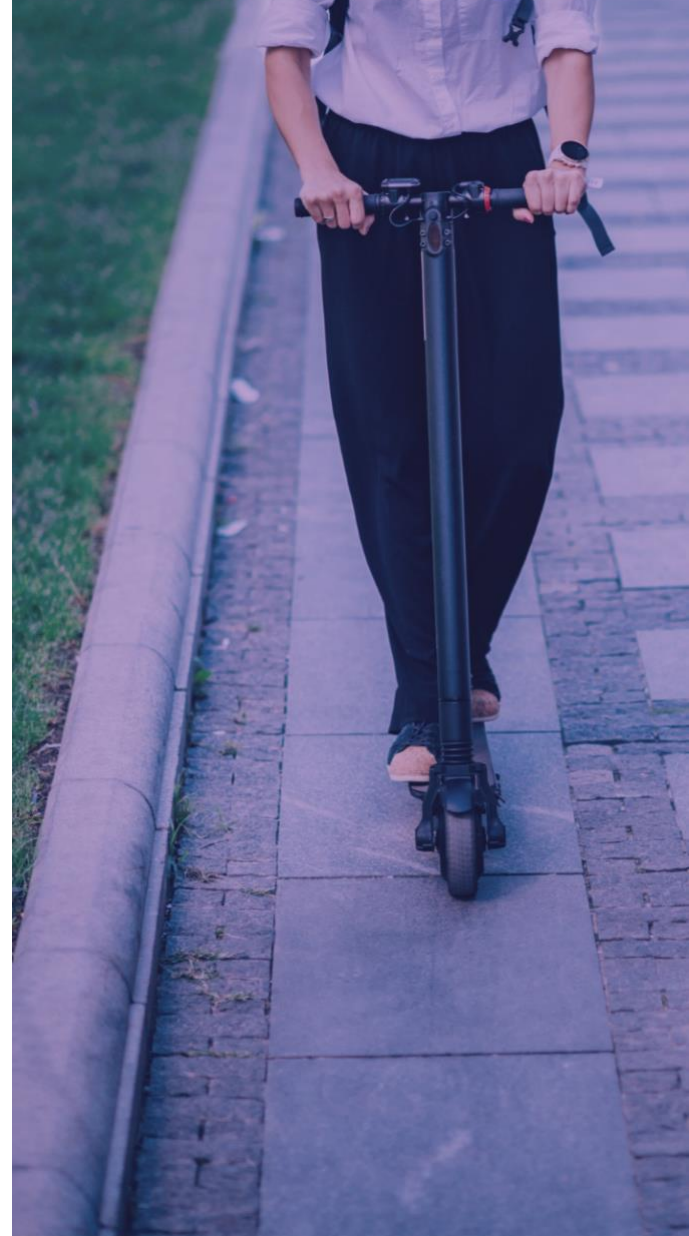
The impact of e-scooter hire schemes

Hire schemes have generally been successful, so much so that the trial period itself was extended from 2020-21 to 2022. Hire operators can ensure mandatory training before use of e-scooters and enforcement by preventing users from accessing their apps. Using artificial intelligence, hire schemes can identify when riders are on the pavement and employees are able to monitor users on the street. Thus, such schemes are able to issue 'strikes' and ban riders.¹⁴ Hired e-scooters can also be fitted with GPS to ensure that they are only locked in designated spots.¹⁵

Nevertheless, Avon and Somerset Police has said that hired e-scooters are still being ridden poorly, on pavements, mounted by more than one person, by underage users and are taking up parking spaces. Privately-owned scooters are of even greater concern because dangerous riders are more difficult to trace.¹⁶

Legality of riding a privately owned e-scooter on public land

Riding an e-scooter other than in accordance with a trial scheme could expose someone to criminal liability; and, as long as it remains illegal to ride an e-scooter on the road, it is impossible to insure one for such use. E-scooters cannot be ridden on pavements and, while regulations were amended to allow hired e-scooters to ride on cycle lanes, this does not apply to privately-owned e-scooters.



It is illegal to ride any e-scooter under the influence of alcohol or drugs.¹⁷

Nevertheless, a cursory perusal of well-known high street, retail park and online shops in the UK will reveal that the sale of e-scooters to private owners is widespread and available at an average price of around £500, while those aimed at children can be bought for around £150. It is very difficult to believe that buyers are enjoying their new machines on private land alone

¹⁴ The Association of Consumer Support Organisations (ACSO) summary of the All-Party Parliamentary Group for Cycling and Walking webinar: e-scooters held on 23 April 2021

¹⁵ ACSO summary of Transport Committee meeting on 'e-scooters' held on 15 July 2020

¹⁶ Ibid.

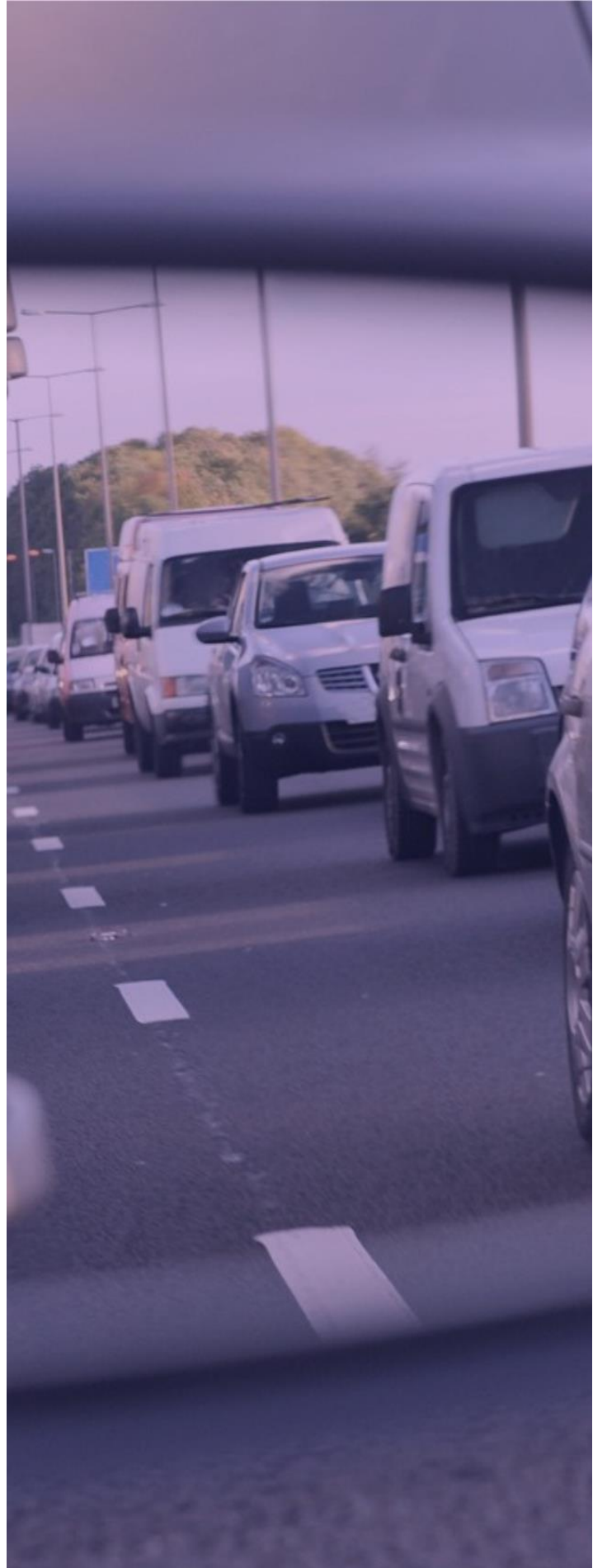
¹⁷ 3PB, [Electric scooters \(e-scooters\): a brief synopsis of the current regulatory regime](#), 23 June 2021: See s 143, Road Traffic Act 1988; the cases of Winter v DPP - [2002] EWHC 1524 (Admin) and DPP v King [2008] EWHC 447 (Admin); s 72 Highways Act 1835; s21(1) Road Traffic Act 1988; s 34 Road traffic Act 1988; ss4 to 5A of Road Traffic Act 1988

Safety concerns around the private use of e-scooters

There are certain features of e-scooter rider behaviour that can increase the dangers posed by them to other road users. For example, e-scooters are motorised vehicles that are often ridden on pavements, in parks and in public places around pedestrians. It is also uncommon for riders to wear helmets or other protective or high-visibility clothing. Moreover, there are extra risk factors related to e-scooter design. This includes the fact that private e-scooters can achieve speeds of up to 50mph, can weigh four times more than a bicycle, have small wheels that are vulnerable to potholes and have electric motors that permit acceleration far in excess of the accelerating speeds of pedal bicycles.¹⁸

While reliable data are hard to collect, it is estimated that in 2021, there were 390 seriously injured and 960 slightly injured casualties involving e-scooters (this compares to 129 and 354, respectively, in 2020).¹⁹ Some 82 per cent of e-scooter collisions involve privately-owned machines.²⁰ Furthermore, Transport for London has banned e-scooters across its network after one privately-owned machine blew up at Parsons Green Tube Station. A review found the incident had been caused by defective lithium-ion batteries which ruptured without warning and thus combusted and caused toxic smoke to be released.²¹

As we remain in the trial phase of e-scooters, there are many gaps in the data regarding their overall safety on the roads. The London Assembly Transport Committee has highlighted that e-scooter collisions are recorded as involving a classification of 'other vehicle', meaning accurate data regarding their safety – outside of trials – is difficult to obtain.²²



¹⁸ Boyes Turner, [E-scooters update – regulation is needed to reduce risk of harm and compensate injured victims](#), 19 July 2022

¹⁹ Department for Transport, [Reported road casualties Great Britain: e-Scooter factsheet 2021 \(provisional\)](#), 25 May 2022

²⁰ Parliamentary Advisory Council for Transport Safety, [The Safety of Private E-Scooters in the UK: Interim Report](#), March 2022, p 5

²¹ Sky, [E-scooters banned from all London public transport over fire fears](#), 13 December 2021

²² London Assembly, [Data from e-scooter collisions not clear](#), 6 May 2022

Problems surrounding liability of privately owned e-scooters

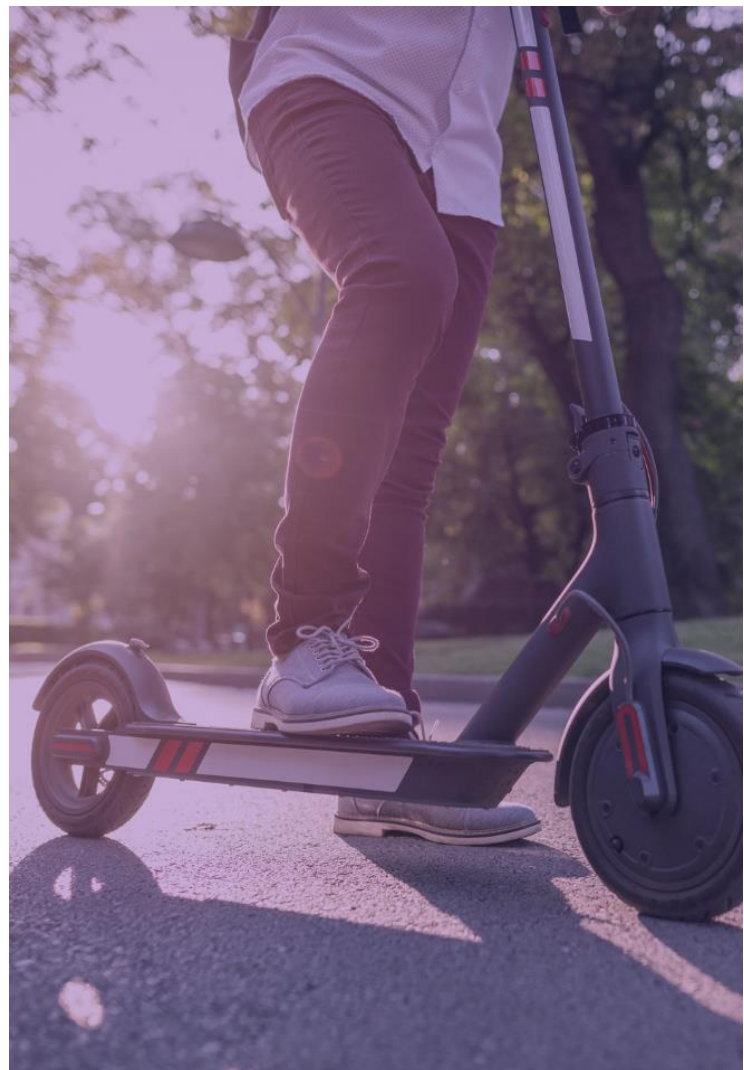
While hired e-scooters must be at least third-party insured, the fact that privately-owned e-scooters are prohibited from riding on public highways means they cannot be insured, which has serious ramifications for anybody unfortunate enough to suffer damage or injury as a result of a collision involving one.

This is made even more difficult by the challenges in identifying the identity of e-scooter riders who cause accidents – including those ridden legally as part of public trials. It is easy for riders to flee accident scenes and, although public trial scooters are fitted with visible serial numbers, these are much harder to read than standard vehicle licence plates.²³

The current position for privately-owned e-scooters is that the Motor Insurers Bureau (MIB) bears the costs for compensating victims who are hit by e-scooters, which is ultimately funded by the insurance premiums paid by all insured road users.²⁴ Given the large and rising number of e-scooters on the roads already, treating road traffic accidents involving private e-scooters in the same way as uninsured or untraced car drivers, for example, seems unrealistic in the long-term and unfair on road users who will end up paying increased premiums. A question remains about whether people should have the option to purchase their own insurance on a voluntary basis if they wished to do so,

which could only be made possible if e-scooter use on public roads is legalised.^{25,26}

With cyclists, insurance is not required, in part because their use on the roads pre-dates motor cars and in any case most of the damage resulting from a road traffic accident is likely to be caused by motor vehicles. It remains to be seen whether e-scooters will be treated the same as bicycles or cars for insurance purposes.



²³ Essex Chambers, [E-scooters](#), 27 July 2021

²⁴ MIB, [MIB statement on the use of e-scooters, mail on Sunday, 9 August 2020](#), 9 August 2020

²⁵ ACSO summary of the Transport Committee meeting held on Wednesday 01 July 2020

²⁶ Bolt Burdon Kemp, [The Future of E-Scooter Regulation](#), 13 July 2022

Does illegality matter to the claims process?

Defendants in personal injury claims involving e-scooters are likely to raise the defence of illegality. This is the idea that the claimant e-scooter rider should be excluded from making a claim because they should not have been riding on a public highway in the first place. However, there are cases where the defence of illegality did not prevent claims being made, despite claimants riding vehicles that were stolen, unregistered, uninsured as well as over the speed limit and/or when intoxicated. Nevertheless, in these cases, the court apportioned some blame to the claimant, such that the wrongful acts were instead relevant for the purposes of finding contributory negligence, which duly lowered the awards made.²⁷

The illegality of private e-scooters on public roads does not prevent claims being made by riders who are themselves injured, despite riding illegally. If an e-scooter rider is riding on the road visibly and at safe speed, and another road user does not take reasonable care and drives negligently, such that it causes harm to the e-scooter rider, it can be seen that negligence may be found – irrespective of legal status. Claims made by the owners of privately-owned e-scooters involved in accidents on public highways, despite their illegal status on such roads, may be seen as



"They're a reality, they exist"
- Grant Shapps, Secretary of State for Transport

encouraging criminality. However, all road users have a duty to other road users – and riders of e-scooters are vulnerable road users.²⁸

The popularity of e-scooters with the young, the unlicensed and the uninsured means riders are likely to fall below the standard of the reasonably competent driver. Combine this with the strong potential for e-scooter riders to come into conflict with cyclists, pedestrians and other e-scooter riders in mixed-use public spaces, such as cycle lanes and pavements – plus the fact that e-scooter riders seldom use helmets – and the deregulation of e-scooters runs the risk of causing a regulatory headache.²⁹ There is therefore a clear argument that the laws on e-scooters need to be reformed to provide clarity and safety for all road users. After all, there is no indication of e-scooters disappearing from the road. In the words of the Secretary of State for Transport, Grant Shapps, when speaking to the Commons Transport Select Committee in early 2022, "They're a reality, they exist".³⁰

²⁷ BLM Policy blog, [E-scooters: defence arguments and issues to consider](#), 27 September 2021 (see *McCracken v Smith & Others*; *Clark v Farley & MIB* [2018]; and *Kyriacou v Finch* [2021]).

²⁸ Electroheads, [Should illegal e-scooter riders be able to make claims against drivers?](#) (6 June 2022)

²⁹ St John's Chambers, [E-Scooters: 2021 Update](#), June 2021

³⁰ Independent, [Minister indicates private e-scooters could be legalised for use on roads](#), 27 April 2022

Considerations before the legalisation of private e-scooters

As early as 2 October 2020, the Transport Select Committee recommended the legalisation of e-scooters. They argued that speed limits should be determined by local authorities, and that neither insurance, helmets or a driving licence should be compulsory when riding one,³¹ because if the objective of deregulation is to increase take-up of e-scooters to encourage a modal shift to greener alternatives of travel, then such mandates are likely to reduce uptake – notwithstanding the safety benefits of those features.³²

Given the likelihood of e-scooter deregulation and the ramifications for road safety, ACSO has asked some of its members for their recommendations. While there was no consensus, a number of suggestions were offered for how e-scooter could be made safer for all road users.

Special thanks go to the following contributors for agreeing to be interviewed for the purposes of this report and who shared their personal views (which are not necessarily those of their organisations):

- **Nick Chamberlin, Policy Manager, British Cycling**
- **John Cuss, Head of Corporate Services and Strategic Partnerships, Hudgells**
- **Cameron Lees-Weir, Trainee Solicitor, Hudgells**
- **Lucy Ashmore, Claims Director, Kindertons**
- **Stuart Hanley, Head of Legal Practice, Minster Law**
- **Richard Gaffney, Principal Lawyer, Slater and Gordon**

We are also grateful to Margaret Winchcomb, Senior Research and Policy Officer at Parliamentary Advisory Council for Transport Safety (PACTS), who spoke at an ACSO Vulnerable Consumer Group Meeting in June 2022 on the matter of e-scooters and shared PACTS's [recommendations on the legalisation of e-scooters](#). We also thank all attendees who contributed their thoughts on the subject, many of which are reflected below.



³¹ Transport Select Committee, [E-scooters: pavement nuisance or transport innovation?](#), 2 October 2020

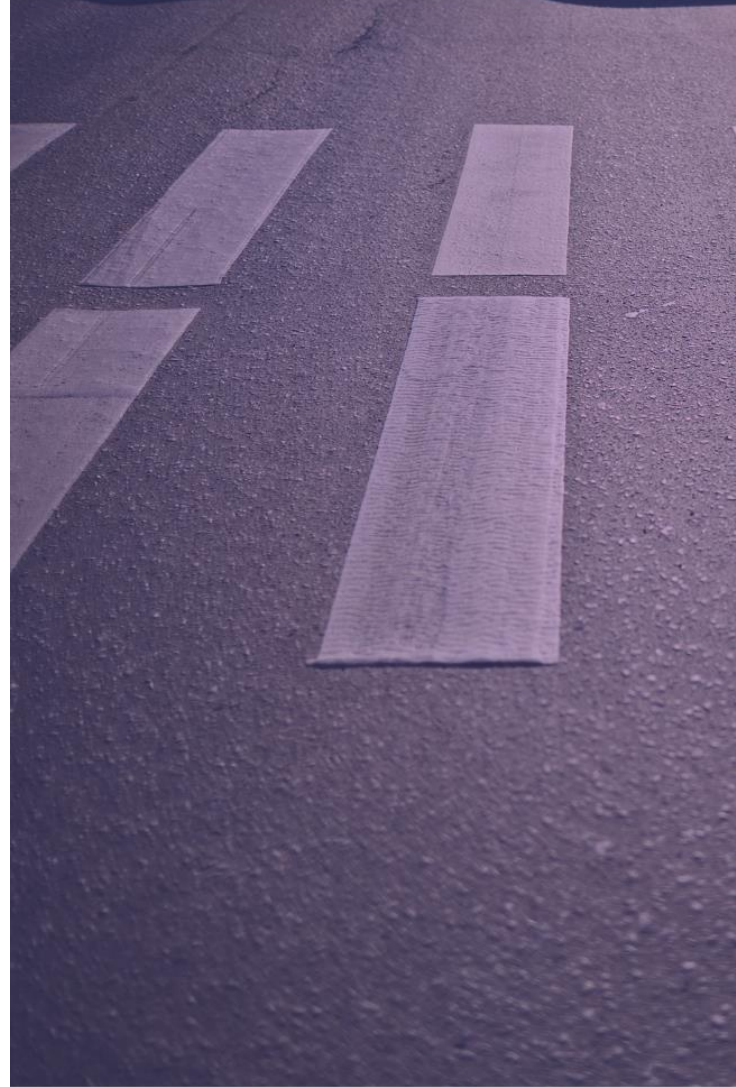
³² ACSO summary of Transport Committee meeting on 'e-scooters' held on 15 July 2020

Legalisation

There was general agreement among stakeholders that private e-scooters should be legalised on British roads. Views included e-scooters being a convenient, eco-friendly alternative to other forms of transport. There was also recognition that it is impossible “to put the genie back in the bottle,” reflecting Grant Schapps’ comments noted above. Thus, legalisation and regulation would improve the current situation whereby hundreds of thousands of people flout the law daily and put other road users at risk of harm.

There was concern around whether retailers were being responsible by selling e-scooters knowing that they are illegal for use on public roads. As discussed above, it is legal for retailers to sell e-scooters to members of the public and it is up to the buyers whether they ride the vehicles legally on private land or illegally on public roads.

Moreover, retailers are currently able to sell e-scooters that do not conform to the same safety standards as those adhered to by the legal hire schemes; and it is not clear if that would even change if ‘safe’ private e-scooters are legalised on public roads. We could end up in a situation whereby retailers continue to sell e-scooters that do not satisfy the requirements for use on public roads alongside ones that do.



Registration

It was suggested that there could be a registration system at purchase or licence plate installation so as to more easily identify the ownership of vehicles involved in accidents.

There was some division as to whether e-scooters should be perceived as a vehicle in their own right with their own set of regulations, or whether they should be treated more similarly to the more regulated motorcycles or the less regulated bicycles. A distinction was also drawn between e-scooters and e-bikes operated by a throttle or where the electric component merely assists the pedalling. Some contributors suggested that e-scooters should be broadly treated equally to bicycles or e-bikes, whereas others believed the rules ought to be more stringent for e-scooters due to the way they are constructed and ridden.



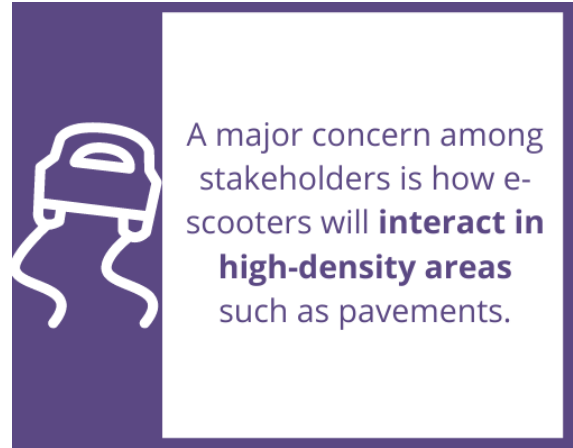
Safety

Some contributors suggested that e-scooters are not necessarily more problematic than cyclists and could instead be merely victims of media sensationalism because of their relative novelty. However, there was consensus that hired e-scooters are easier to regulate, for example due to the way that artificial intelligence can determine whether someone is riding on the pavement.

One major area of concern is how scooters will interact in high-density areas such as pavements. One suggestion would be to allow e-scooters to use cycle lanes, so that they would be safely off the pavement, but protected on the road. Another suggestion would be a wider 20 miles an hour limit on all roads, which would make all vulnerable road users safer. There was a widespread view that the UK currently lacks the infrastructure to accommodate e-scooters – especially outside urban centres – and that this would need to change.

Contributors were largely divided as to whether e-scooter riders should have compulsory helmets. There was a view that helmets should be seen in the same way as seat belts. However, the argument against this was the likelihood of reducing uptake and difficulty around enforcing such a policy.

Another area of concern was underage use. There was unanimity with regards maintaining the current age restriction as that for hire schemes (i.e. being old enough to possess a provisional driver's licence). However, it was unclear what could be done to prevent children from riding e-scooters.



Most believed that the 15.5 mph limit on e-scooters is adequate. Of greater concern was the fact that electric motors generally accelerate far quicker than combustion engines, or indeed pedal-operated vehicles, and thus e-scooters could pose an additional danger to pedestrians. This was especially the case as the visual profile of e-scooters is generally lower than bikes.

Some contributors pointed out that hire schemes were preferred as an alternative to the private ownership of any transportation device due to safety monitoring and control.

There was acknowledgement that the recently updated Highway Code should be updated again to reflect the wider use of e-scooters, while another concern was how to regulate noise on them, so that artificial noise can be introduced to otherwise near-silent motors to protect the visually impaired and others.

There was some concern around how accurate safety statistics can be. Some statistics cited in discussions appeared anomalous, overinflated or underestimated compared to the experiences of other vulnerable road users, such as pedestrians. There was also an acknowledgement that as private e-scooters are illegal on public roads, this can prevent accurate reporting of accident statistics as people riding illegally are less inclined to advertise that they were involved in a collision.


Liability

Some contributors argued that e-scooters should be insured in the same way as you would with motorcycles and indeed viewed e-scooters as more akin to 50cc mopeds than, say, bicycles. There was a concern that the injuries from e-scooter collisions might be graver than those of bicycles and therefore this could justify compulsory insurance for them, or at least encourage a bigger push for people to take out insurance.

Others pointed to the fact insurance would likely reduce uptake of e-scooters, and that it would also be hard to enforce as it would be difficult to identify which scooters were insured or not. It was suggested by some that insurance could fall under the scope of legal expenses insurance on home insurance policies, rather than a standalone insurance product for e-scooters. It was also suggested that rolling out more hire schemes where e-scooters need to have insurance anyway could solve this problem.

Environment/health

It was agreed that the environmental benefits of the e-scooters were promising. However, this would depend on people replacing car and bus journeys with e-scooter rides, rather than replacing walking journeys. There was some anecdotal evidence to suggest that e-scooters have done more to reduce walking than to reduce the use of polluting vehicles. Alongside this, concerns were made regarding batteries and waste and whether e-scooters were quite as environmentally friendly as they were purported to be. However, more data on the impact and uptake of e-scooters would be required to ascertain their environmental impact. It was noted that hiring e-scooters was likely to be better for the environment than privately-owned e-scooters as fewer vehicles would need to be manufactured.



It was suggested by some that insurance could fall under the scope of **legal expenses insurance** on home insurance policies, rather than a standalone insurance product for e-scooters.

Training

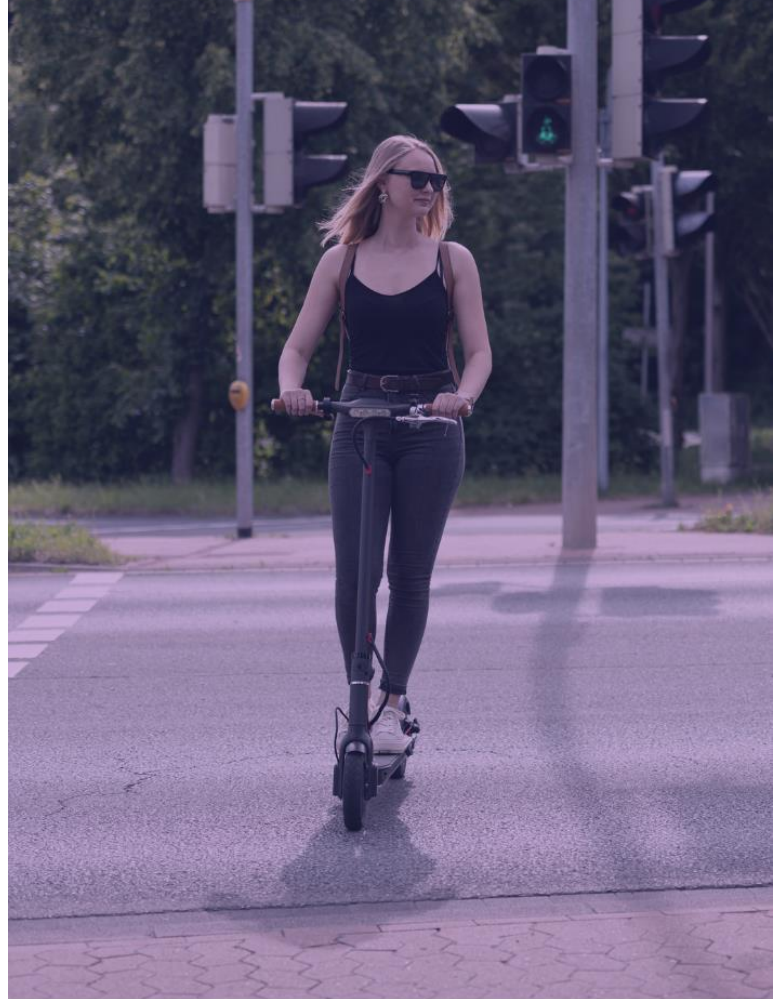
Some contributors suggested that some form of training requirement would be beneficial – be it as formal as the motorcycle compulsory basic training, or perhaps something more informal at the point of sale. However, there was disagreement on this point as some contributors warned that this would reduce uptake and would bring e-scooters in conflict with the position surrounding bicycles or mobility scooters where such training is not required. Another contributor added that given the relative ease of riding an e-scooter, a training programme would not be necessary. Contributors agreed that educating the public on the sensible use of e-scooters and also informing drivers so that they improve their behaviour around e-scooters is necessary. This is especially the case as e-scooters are generally smaller and have a lower movement profile than bicycles. There was agreement that there needs to be greater awareness around the use of e-scooters, particularly in respect of drink riding.

Conclusion

This report has shown that the current laws on e-scooters are not fit for purpose. As it stands, those involved in e-scooter accidents are left to navigate various legal grey areas to see if they can be compensated for losses that arise from their accident with vehicles not officially allowed to even be on the roads. This makes the claims process unnecessarily arduous for victims of road accidents and impractical as e-scooter use rises.

E-scooters do present safety risks for all road users. Hire schemes have proved popular and relatively easy to regulate, but have failed to satisfy the demand for private ownership. It seems that it is too easy to purchase an e-scooter and that the sale of these vehicles should be regulated more effectively. However, it does seem that privately owned e-scooters will be part of the make-up of British roads for the foreseeable future and we should not pretend otherwise. It therefore seems inevitable that part of the solution is to legalise them in a way that ensures that they are ridden safely.

The safest option would be for e-scooter riders to have at least third-party insurance and that they wear helmets as they ride. Victims of accidents involving e-scooters may also take comfort from a system of registration whereby e-scooters and their riders can be more easily traced if they are involved in a road collision. However, such regulations may well reduce the desirability of e-scooters and undermine their appeal as a cheap and environmentally acceptable means of transport in the first place. Such regulations may also prove just as difficult to enforce as the current situation of illegal riding.



It is likely that the legalisation of privately-owned e-scooters on public roads will need strict limits on their speeds and design to ensure that they are roadworthy. Given the risks to road users – including to e-scooter riders themselves – it seems that the most sensible option is for them to be ridden on cycle lanes as far as possible, and for them to be kept off the pavements at all times. This seems easier to achieve in urban areas that typically have more cycle lanes, but would require a more extensive cycle lane network nationally. It would also require greater awareness from the British travelling public (both as e-scooter riders and/or as other road users).

A more robust regulatory framework around e-scooters is necessary. The forthcoming Transport Bill is expected to legalise e-scooters. ACSO has generated recommendations below for policy makers to consider before and after the legalisation of privately-owned e-scooters.

Recommendations for the legalisation of private e-scooters

1 **Legalise privately-owned e-scooters for use on public roads.**

The status quo lacks the enforcement required to remove the hundreds of thousands of e-scooters ridden illegally on British roads and fails to grapple the problem of improving road safety. It also fails to address the potential advantages to the environment and everyday mobility that e-scooters offer.

2 **Expand the e-scooter hire schemes to collect more data regarding safety.**

The addition of more towns and cities (as well as suburban and rural communities) to the hired e-scooter roadmap will improve our understanding of e-scooter behaviour and accident data. Hire schemes' geolocation technology is especially well-placed to monitor accident data.

3 **Make data publicly available.**

This is the best way for organisations to study the impact of accidents on e-scooters and other road users, and the extent to which accidents are being caused by e-scooters.

4 **Build better infrastructure to accommodate e-scooters.**

Roll out more cycle lanes and consider other innovations to the transport network to improve e-scooter rider safety. Ban their use on pavements to protect pedestrians.

5 **Educate road users on how to co-exist with e-scooters.**

Safety training programmes for e-scooter riders (which might include compulsory theory or practical testing) and changes to the Highway Code will help all road users ensure the safety of themselves and others while sharing road space with e-scooters.

6 **Insure e-scooters.**

Accident data underlines the need for compulsory insurance. Failure to insure e-scooter riders risks a failure to compensate other road users for their injuries.

7 **Register e-scooters.**

Devise a means of registering all e-scooters; for example, via licence plating or barcoding and/or by creating a central database of owners.

8 **Introduce a minimum age for users.**

This is likely to be 16 – to put e-scooters in line with age limits on small-displacement motorcycles.

9 **A definitive legal speed limit.**

This is likely to be the current 15.5 mph restriction on hire scheme e-scooters. Impose criminal sanctions for illegal modifications that increase speeds beyond that.

10 **Safety features and protective gear.**

Accident data may justify compulsory helmet-wearing and/or the introduction of artificial noise or bells, so that pedestrians can hear e-scooters more easily. Compulsory indicators, headlamps and minimum standards of construction are critical.

Further information

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