

11 March 2019

Phil Pennington
Radio New Zealand
Phil.Pennington@rnz.co.nz

REF: OIA-4685

Dear Phil

Request made under the Official Information Act 1982

Thank you for your email of 11 February 2019 requesting the following information under the Official Information Act 1982 (the Act):

- *An itemised list noting any report or investigation or consultation into changing the regulations around the classification of scooters, e-scooters, or similar small powered vehicles that NZTA did in 2017 or 2018 in the run-up to the change in mid-Sept*
- *From that list, release the actual report or investigation or consultation*
- *any communication in 2018 about e-scooters between NZTA and Mike Williams on email mike@mikewilliams.co.nz*

By way of context, the use of low-powered e-scooters (and other low-powered devices) has been permitted in New Zealand since 2005, when the *Land Transport (Road User) Rule 2004* (the Rule) was amended. This change determined where and how 'wheeled recreational devices' (WRDs), such as e-scooters, could be used.

A notice in the *New Zealand Gazette* on 18 September 2018 sought to provide clarity as to the requirements for the legal operation of e-scooters as WRDs, including their ability to operate without the need for registration and licensing. The *Gazette* notice does not change the regulations governing the use of e-scooters, rather it clarifies their interpretation.

In light of the above, your questions and my responses are below:

- *An itemised list noting any report or investigation or consultation into changing the regulations around the classification of scooters, e-scooters, or similar small powered vehicles that NZTA did in 2017 or 2018 in the run-up to the change in mid-Sept*
- *From that list, release the actual report or investigation or consultation*

The substantive decision-making and associated research regarding the use of e-scooters occurred in 2004 when the Rule was amended. No further substantive research was carried out in respect of e-scooters prior to the *Gazette* notice being issued. As the information requested does not exist, these parts of your request have been refused under section 18(e) of the Act.

- *any communication in 2018 about e-scooters between NZTA and Mike Williams on email mike@mikewilliams.co.nz*

The information requested is attached to this response. Some information has been withheld to protect the privacy of natural persons under section 9(2)(a) of the Act.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse parts of your request. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

If you would like to discuss this reply with the Transport Agency, please contact Andrew Knackstedt, Senior Manager Media, by email to Andrew.Knackstedt@nzta.govt.nz or by phone on 04 894 6285.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Michael Aitken", with a stylized flourish at the end.

Michael Aitken

Senior Manager Operational Policy, Planning and Intelligence