# Stakeholder engagement report

## E-scooters (Declaration Not to be Motor Vehicles) Notice 2018 Review

15 September 2023

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# Contents

# Introduction

This report summarises engagement by Waka Kotahi about the review of the E-Scooter (Declaration Not to be Motor Vehicles) Notice 2018. During July and early August 2023, we engaged directly with three main groups of stakeholders: e-scooter rental operators, local authorities, and advocacy and disability groups. We asked for position statements from organisations within each of these groups as well as any supporting information they wished to provide.

An online survey was created to generate a general view from the public and gain insights into the public's interaction with e-scooters. The survey questions were broad and high level.

The E-Scooter (Declaration Not to be Motor Vehicles) Notice 2018 covers motorised e-scooters 300 W and under. Waka Kotahi acknowledges most of the data and surveys about the use of e- scooters is in relation to rental e-scooter schemes. Data on private e-scooter owners and their practices is largely unavailable due to a lack of categorisation. We acknowledge that practices may differ between riders of private devices versus those on hire scheme devices.

We were also limited by not having access to the most up to date information from e-scooter operators and local authorities.

Waka Kotahi appreciates that e-scooters are a contentious topic. The review looked at a variety of aspects of the use of e-scooters. This report is one factor within that review. The decision on whether to renew the declaration does not depend on any of these factors individually but the outcome of the review. It has been important to assess the issue without bias, taking into consideration a variety of stakeholder views and supporting information.

# A quick look

On 7 July 2023, Waka Kotahi informed a group of key stakeholders that the E-scooters (Declaration Not to be Motor Vehicles) Notice 2018 was about to expire and we wanted to engage with them as part of our review. This group was made up of local and regional authorities around Aotearoa, a variety of advocacy groups, and the commercial operators of e- scooter rental schemes.

We also engaged with stakeholders who contacted us directly and invited them to provide us with their position statements by the end of our engagement period (7 August 2023).

There was a mix of views, with some stakeholders favouring renewal and some wanting it to lapse. Despite this, there were some key themes seen consistently throughout our engagement which we have used to analyse feedback.

## Pedestrian safety

This theme was the most common reason given by stakeholders for not renewing the declaration. Advocacy groups held this view most strongly. They supported the removal of e- scooters from footpaths, often suggesting placing them in cycle lanes or shared paths. Key sub themes included reckless driving, parked e-scooters obstructing footpaths and inconsiderate rider behaviour.

## Rider safety

The safety of riders was of concern to a range of stakeholders. There was general agreement from those opposed that current speed and power restrictions were too lenient, and that e- scooter riders should be required to wear helmets. This kind of response appeared in submissions and the survey results for the renewal but with less frequency. Results from our public survey, and data supplied by other stakeholders, showed that riders of e-scooters felt safest using footpaths or cycle lanes rather than competing with heavier, faster motor vehicles on roads.

## Sustainability

The environmental benefits of e-scooters were a consistent theme throughout our engagement. All stakeholders agreed on their usefulness in reducing carbon emissions and congestion in cities. The public believed e-scooters play an important role in the government's climate change plans and that their use should be encouraged.

## Financial cost

This theme came through mainly from our public survey, with the cost of living mentioned frequently. Several responses explained that using e-scooters for part of their journeys was cheaper than putting petrol in their car or using public transport. Some had purchased private e- scooters to replace their cars.

## Travel cost

This was also a common theme, encapsulating things like alternative modes of transport, and the time saved using e-scooters rather than motor vehicles or public transport. The benefits of using e-scooters to avoid traffic congestion was also brought up often, especially in our public survey.

## Compliance

Closely linked with pedestrian safety, this theme relates to e-scooter riders following the Road User Rule 2004. Specifically, users must operate in a careful and considerate manner, must not operate the device at a speed that is a hazard to other footpath users and users must give way to pedestrians and mobility devices. This includes themes like inconsiderate riding, riding at hazardous speeds, keeping left and giving pedestrians right of way. Parking compliance, and how this is managed by councils and operators, was mentioned often.

**What they didn't support**

Most stakeholders did not support the licensing and registration of e-scooters. Almost all stakeholders did not support e-scooters operating on roads, at least at their current conditions with speed and power restrictions and with only optional helmet use.

Pedestrian and disability advocacy groups supported the lapsing of the declaration, as their main concern is the safety of vulnerable groups on footpaths.

**What stakeholders supported**

There were three key aspects or themes that stakeholders generally supported.

Firstly, there was support for the progression of the Accessible Streets package, which is due to be considered by Government in 2024. Accessible Streets is a collection of rule changes which would create a national framework for the use of footpaths, shared paths, and cycle lanes.

Secondly, there was support for continuing the current regime whereby e-scooters are not required to be licensed or registered. Local authorities expressed the view that requiring licensing and registration would be impractical and costly. A common stance was that the system was working, and only small adjustments should be made based on identified issues, such as parking and fallen scooters. Public sentiment echoed these claims with many responses questioning the need for change, stating the system was working for them as is.

Lastly, there was support from the public and local authorities for the continued use of e- scooters because they were considered a more sustainable transport mode.

# Who we engaged with

**Local authorities**

- Auckland Council and Auckland Transport
- Hamilton City Council
- New Plymouth City Council
- Palmerston North Council
- Waimakariri District Council
- Wellington City Council
- Christchurch City Council

**Advocacy groups**

- Living Streets
- Blind Citizens NZ
- Brake Road Safety
- Disabled Persons Assembly

**E-scooter operators**

- Beam
- Flamingo
- Lime
- Neuron

# Methodology

**Stakeholders**

Our targeted engagement included a variety of stakeholders with an interest in the review and outcome. We engaged with both government and non-government entities, pedestrian and disability advocacy groups, charities, and e-scooter operators.

Not all the groups that we contacted engaged with us.

**Targeted engagement**

Our approach was to target our engagement to identify early on which stakeholders had the most interest in this review and could effectively represent views of certain communities or groups. We split our stakeholders into three categories: Tier 1, Tier 2, and the online public survey. Tier 1 stakeholders consisted of those we engaged with directly, and their responses are outlined in this report. Tier 2 stakeholders included wider industry groups who may have an interest in the declaration. They were invited via email to take part in our survey. We sought public views through an online survey on our website, which we promoted via social media.

This approach allowed us to connect directly with key stakeholders, ensuring we captured their views as thoroughly as possible.

**Data capture**

We communicated with our Tier 1 and Tier 2 stakeholders via two emails. Our first email was to let them know the review was happening and our second email asked them to provide position statements and answer a set of specific questions.

We also invited our Tier 1 stakeholders to take part in one or more online hui. We wanted to provide the opportunity to engage directly with the review team, allowing stakeholders to elaborate on ideas or ask questions outside of their official position statements and submissions.

Our survey ran for three weeks and was accessible via the Waka Kotahi website. It asked five questions to assess public sentiment and give them an opportunity to share their personal experiences.

**Analysis**

Our analysis involved identifying key themes which came through stakeholders' position statements and supporting information. These themes were similar across all our feedback, including the public survey.

This type of analysis allowed us to identify views for and against from stakeholders and provided some flexibility between themes that were often closely linked in position statements and in public responses.

**Gaps and acknowledgements**

Our Tier 1 stakeholders each received different questions to answer in their position statements, which meant the type of information in responses differed. The reason for this was there was specific information wanted from each stakeholder. Some stakeholders' information related more to some themes and less to others.

A tier system used to engage directly with specific stakeholders. Tier one stakeholders were chosen as they were able to represent communities and interest groups and provide specific information which was required for the review. Tier two stakeholders were identified as likely having an interest in the outcome of the review, and we did not require specific information from them.

Our analysis is only based on those stakeholders who responded to the request for positions statements and information. There were several stakeholders from local authorities and some advocacy groups who chose not to contribute their view or any information to this review.

Therefore, the information and conclusions in this report won't be representative of all councils or all advocacy groups.

Most stakeholder information relates to rental scheme e-scooters. We did not identify any stakeholders which could provide positions statements or information on the use of privately owned e-scooters.

# Local authorities

Waka Kotahi identified districts and cities which currently have or had e-scooter rental companies operating in their areas and contacted local authorities for their views on whether the declaration should be renewed.

Of the local authorities that responded, all were in favour of renewal of the declaration. The general view was that the current regulations for e-scooter use was the right balance. All the councils who provided feedback and position statements acknowledged the challenge of shared footpath use but believed that footpaths are currently the safest area for e-scooters to operate. Councils also acknowledged the social and sustainability benefits e-scooters bring to their communities.

**What we asked**

- Can you please provide copies of your MOUs or Code of Practices with e-scooter operators?
- As well as any supporting reports they provide to you as a part of that agreement?
- If the declaration was not renewed, how would it affect the transport system in your city?
- If the declaration was renewed, what types of safety regulations would make using e- scooters safer for both riders and pedestrians in your city?
- What type of reporting does each e-scooter operator conduct and provide to you? Can you please provide copies?
- What plans are currently in place to combat rider non-compliance (e.g., Drinking and riding, parking offences, reckless driving). What could be in done in the future?
- Please provide any statistical or survey-based information you hold on the use of e- scooters in your city.

**Key themes**

**Pedestrian safety**

We wanted to understand what councils were doing to ensure pedestrian safety and mitigate any negative effects e-scooters operating on footpaths may have. All stakeholders had employed geo-fencing technology in their areas of operation to ensure safety for both pedestrian and e-scooter riders. Geo-fencing allows councils to place no go zones in areas of high pedestrian traffic, go slow zones for areas where extra care is needed, and no parking zones to combat parking pollution.

Some councils told us that the speeds inside their slow zones were 15km/h and 25km/h outside of these zones. Others had curfews on operation times, such as e-scooters being unable to be operated on Friday and Saturday nights in certain areas, and some banned services after midnight.

All local authorities had set up reporting systems for safety and maintenance with e-scooter operators as part of their agreements. These systems inform local authorities on any key risks or emerging ones, help keep track of complaints and how they are mitigated and any new education campaigns or initiatives.

In response to our question about making changes to benefit safety for all road users, almost all authorities mentioned they would support changing the law to allow e-scooters to be operated in cycle lanes. This was a regular suggestion through all stakeholder submissions and in our public responses.

**Rider safety**

Most local authorities believed it would be unsafe for e-scooters to be classified as motor vehicles and allowed on the road.

A common concern was the use of e-scooters when riders were intoxicated or had consumed other substances such as drugs. As mentioned previously, some councils have curfews or bans on operating the rental e-scooters at certain times and/or in certain locations. Others had implemented in-app cognitive testing, to combat users drinking alcohol and riding. The test prevents users from unlocking the service unless they pass a reaction assessment. Another operator uses an algorithm able to analyse the blood vessels on a user's face, it has a 90% accuracy in determining whether a person is sober or drunk.

These initiatives to combat drinking and riding, or poor rider behaviour, are only available to e- scooter rental schemes via their apps or systems. Councils did not provide any information on the use of private scooters, most likely because there is no way to monitor these. One council who was running safety campaigns, may have their marketing material reach private users via social media or signage but private users are almost completely unregulated or monitored.

## Sustainability

All submissions mentioned the sustainability benefits of e-scooters. One common comment was that e-scooters can be used instead of cars for the 'first and last mile' of a journey, which encourages the use of public transport. One council carried out surveys throughout their e- scooter trial period, with results showing that within a 6-month period, 30% of e-scooter riders would have used a car or motor vehicle if an e-scooter had not been available. Over half used e- scooters as a transport alternative or as a first or last mile solution.

Several councils made statements that if the declaration was not renewed, lost scooter journeys would go back to car journeys, which they believe would contribute to carbon emissions and add congestion to roads.

## Financial cost

Some councils suggested that increased use of e-scooters had an additional benefit of freeing up money spent on other infrastructure such as parking for vehicles.

## Travel cost

One council in a predominantly rural district stated that, e-scooters provided an alternative to public transport and are more convenient for those wanting to make short trips or get to places public transport won't get them. Services can be limited at times on public holidays or later in the evenings, e-scooters provide flexibility in those situations. Those in charge of larger cities also cited e-scooters as a useful alternative mode, that they provide a helpful last mile solution to public transport users. Several local authorities described e-scooters as complementary to public transport services.

## Compliance

All local authorities receive reporting from e-scooter operators on safety, incidents, and complaints. Councils reported that any compliance issues were referred to the operator to manage. The extent of council involvement seems to be in monitoring reports and levels of risk and complaints; if there are concerns, operators are alerted to the issue/s.

Of the councils that provided incident reporting, one council had only encountered 3 accidents via operator reports, and another had 4; the former did not specify over what length of time, the latter was over 14 months. A council which had introduced e-scooters more recently reported that requests and complaints have steadily decreased since their introduction.

Only one council mentioned a campaign that they run via social media, aimed at all micro- mobility users. The campaign encourages mutual respect for all micro-mobility and footpath users to create a safer, more inclusive area. This strategy also connects with pedestrian and rider safety but also plays a role of encouraging compliance with the Road User Rule 2004.

## Summary

The consensus seemed that current settings were the right balance, and all supported the declaration. Some specified that complaints and calls for service were decreasing and other reported seemingly low incident rates although they did not provide details of other modes for comparison. Councils take a relatively hands off approach from a compliance perspective, although, they do play a role in outlining geo-fenced slow, no parking or no operating zones. Only one council mentioned running a marketing campaign encouraging safe shared used of the footpath.

Local authorities were satisfied with the social and environmental benefits e-scooters were contributing to their towns and cities. They saw them as contributing to the effectiveness of public transport by providing a first/last mile solution. They also see e-scooters as improving congestion and emissions as they have replaced some car journeys.

**Other councils**

It is important to note that some of the councils and their employees decided to engage with us through the public survey via our website. We reached out to single submissions to confirm the view of the council. However, some councils had multiple employees submit and their responses often in conflict with each other. We also encountered employees from councils we had already engaged with and received position statements from, submit with conflicting opinion to their employer's official position. For those reasons, we have counted them as personal submissions, not on behalf of their employer.

# Advocacy groups

We identified a range of advocacy groups we wanted to engage with during our review, including pedestrian, disability, age concern groups, as well as, cycling and roading groups.

Most advocacy groups we engaged with were in favour of not renewing the current declaration and letting it lapse. One was in favour of renewal with conditions. All groups mentioned feelings of stress and fear when navigating footpaths; that disabled, elderly, and other vulnerable groups like children are at risk if system does not change. All submissions suggested allowing e- scooters in bike lanes, implementing national guidelines and better compliance and enforcement strategies.

**What we asked**

- Do you, your whanau, or friends have any challenges sharing footpaths with e-scooters? If so, what are these challenges?
- Do you, your whanau, or friends use e-scooters as a way to travel or ride recreationally?
- Councils have been working with e-scooter for hire companies over the last few years to try make e-scooter use safer (for example, setting up e-scooter parking, geo-fencing, in- app training for e-scooter users). Have you noticed any improvements in your journeys as a result of these measures?
- How safe do you feel using an e-scooter or being around e-scooters on the footpath? Why do you feel this way?

**Key themes**

**Pedestrian safety**

The fundamental theme in advocacy groups' position statements and their supporting information was pedestrian safety. We wanted to understand exactly what challenges their memberships saw when sharing the footpaths with e-scooters. There were several key subthemes of safety, most commonly the following:

- not being able to hear them coming behind or around corners,
- riders not riding considerately or giving right of way to pedestrians, and
- e-scooters being parked in hazardous places or positions.

These themes plus several more, resulted in these groups describing feelings of fear and anxiety when using the footpaths; that daily commutes or exercise is more difficult. One submission contained a variety of testimonies from their membership, we have included some quotes here:

> *"I am so fragile now that I cannot afford to trip or fall over anything, including E Scooters. They are just too dangerous for people like me."*

> *"E-scooters are just one more layer of anxiety to add to a hostile environment which prevents my feeling safe and independent."*

> *"I have discovered in recent months that I walk our streets very occasionally, due to the anxiety associated with e-scooters. They are silent, travel faster than I can walk, and are obstacles on already cluttered footpaths."*

> *"I believe that e-scooters should be ridden in cycle lanes as they are very quiet and move at speed which means they are potentially hazardous to pedestrians, like me, who are blind."*

> *"The speed with which they travel on footpaths is terrifying to people like myself who are blind, deafblind, or have low vision, along with other disabled members of the community."*

> *"I would be far less stressed getting around if I knew that there were clearer guidelines that were enforced."*

A joint submission between several of stakeholders, took the form of a petition titled "Give us back our footpaths". This petition highlighted that groups of pedestrians feel unsafe on footpaths and calls for the

removal of e-scooters from that space. They had collected signatures from 514 people in their membership who were against renewal.

In response to some of the questions posed, no groups felt that any improvements had been made by the introduction of safety measures by operators and councils. They said their members were often fearful of either being hit by a scooter or falling over a scooter parked inappropriately. The key safety priority these groups want to address are parking issues, speed, and improved rider behaviour around the Road User Rule 2004, all of which will positively impact pedestrian safety.

**Rider safety**

Some stakeholders were concerned about rider safety, that they did not feel the roads were an appropriate space for e-scooters. The common response was that there needs to be separate facilities for all micro-mobilities including e-scooters, similarly to bike lanes. All groups called for a review of the legislation prohibiting e-scooters to operate in bike lanes; they saw it as a temporary solution until infrastructure can be built to accommodate all modes.

One group called out the need for improvements in rider safety training.

**Sustainability**

One group mentioned sustainability and the need to encourage greener modes of transport., They believed that e-scooters if correctly regulated, could contribute positively to climate goals. They stated that e-scooters can help improve traffic congestion, decrease carbon emissions, and provide a sustainable transport choice for the public.

**Financial cost**

One group mentioned ACC costs, specifically the rise in e-scooter related claims and taxpayer money being used more frequently for this mode.

**Travel cost**

Only one group acknowledged e-scooters as having the potential to be a useful mode of alternative transport but stated several things which fell under other themes like pedestrian and rider safety that needed to be improved.

**Compliance**

Closely connected to pedestrian safety was compliance. All groups cited the Road User Rule 2004 and the consistency that e-scooter riders appear to disregard those rules. One group stated that requirement of licensing and registration would improve compliance, as users would be able to be held accountable for breaking the Road User Rule 2004. Also mentioned was the role of local and central government in regulating and building better systems to monitor compliance. These groups were unhappy with the hands-off approach currently taken and expressed support for a centralised set of rules for consistency across the motu.

One group expressed they would like to see the individual take on more responsibility for their actions, that current systems of influencing behaviours from both councils and operators are unacceptable. They believe there should be more council and Police presence to assist with compliance.

**Summary**

The advocacy groups we engaged with were largely unsupportive of renewal of the declaration, the main reason was concerns over pedestrian safety. These groups have the safety interests of disabled, elderly, and vulnerable groups in mind, and state that the current ways e-scooters operate are harmful to those groups and other pedestrians.

Their main concerns are the speeds e-scooters operate on the footpaths, combined with the lack of noise they make. Parking in inconvenient or hazardous places which may block some footpaths users from a route or force them onto the roads. Rider behaviour that does not comply with the Road User Rule 2004, like riding in an inconsiderate manner, or not giving way to pedestrians at a speed that is safe.

Testimonies from these stakeholders confirm certain people do feel anxious or stressed when using the footpaths due to e-scooters.

# E-scooter operators

There are currently four e-scooter operators in Aotearoa. One is New Zealand owned and operated Flamingo, the others are overseas companies, Beam, Lime, and Neuron. We met with and received position statements from all operators.

Understandably, all operators were in favour of the declaration renewal. All highlighted safety and sustainability as key themes within their businesses.

**What we asked**

- Can you please provide copies of your agreements and/or Code of Practices with the local authorities of the areas you operate in?
- Also, please provide any specific plans regarding compliance, safety management and sustainability which have been created through your agreements with local authorities?
- Can you please provide information relating to your use of geofencing technology, including the location of geofenced areas, and the speed restrictions within those areas?
- What model(s) of e-scooter currently make up your rental fleet?
- Are there any future models planning on being introduced to New Zealand?
- What are your current processes for dealing with non-compliant drivers? Particularly those consuming alcohol, driving inappropriately in pedestrian dense areas, and parking offences. Are there any initiatives that you are currently considering that may further mitigate these behaviours?
- What education material do you use currently to encourage safe driving on e-scooters? Is there any additional material that you are currently considering encouraging higher compliance?
- Can you provide us with accidents reports, incident reports and parking offence data from the 2018-2022?
- What are current procedures for old scooters? How are they disposed of? What are your current recycling abilities?
- What are the processes for maintaining the scooters? How do you ensure braking systems are stopping safely, the tread on tyres is in adequate condition?
- Does every scooter originally come with a helmet? As they are lost, are they replaced?
- Please provide any statistical or survey-based information you hold on the purpose of the use of e-scooters that your company hires (e.g., commuter, personal trip, entertainment etc).

**Key themes**

**Pedestrian safety**

Most pedestrian safety initiatives from e-scooter operators were very similar. As seen in the local authority submissions, many have incorporated different zones using geo-fencing technology, slow speed zones, no go zones or no parking zones. Speed is capped to 25km/h for some e- scooters and others detailed that speed is capped at 15km/h in slow speed zones. All operators report using staff to patrol certain areas correcting hazardous parking, responding to customer reports or promoting compliance and safe riding practices. All operators stated that all or some of their current fleet have dual kickstands for added stability when parked, which attempts to mitigate falling after parking.

The hardware of the vehicles differs slightly. All operators have bells on e-scooters to warn pedestrians and some also outlined the different lighting on the front and back of the scooters to alert other footpaths users at night-time. Operators all have monitoring systems in place which report incidents to councils, depending on the region, ranging from weekly to six-monthly.

All operators mentioned in-app incentives, which ranged from messaging directing riders to parking zones or voice prompts reminding them of positive riding behaviours such as parking correctly in designated zones. Some operators mentioned use of education campaigns run via their apps, others take part in events to engage with public. One operator works in partnership with one of our key stakeholders to create education material on safety and review their safety plans and outputs.

**Rider safety**

Several themes of rider and pedestrian safety cross over, many of the safety initiatives that operators have in place benefit all footpath users.

Maintenance systems for all operators were regular, one stating they check tires and tread every 48 hours when redistributing e-scooters around an area. Most operators encourage improvements to rider safety by incentivising users by giving free credits when riders take part in a quiz, take extra training, and for good riding practices.

As stated, operators specified that they take part in events like university open days or road safety events to speak to users and use it as an education opportunity. One operator detailed the different modes available, for examples, new riders have their speed and acceleration capped whilst they get used to operating the e-scooter.

**Sustainability**

Some operators had more information on sustainability than others, three out of the four operators had devices made with a high percentage of recyclable materials. All e-scooters have beyond a five-year lifespan. Some operators use all electric vehicles, bikes, and scooters to attend to e-scooters and transport them, and another is transitioning to those practices. Three of the submissions stated they are certified carbon neutral.

The level of recycling of scooter parts appears high across all operators, one operator's device is made from 90% recyclable and recoverable materials. Their end-of-life batteries are also collected and sent overseas to be repurposed for new lithium-ion batteries. Another submission says their latest model is made up from 40% recycled parts and is 96% recyclable. All operators mentioned partnership with recycling organisations and/or systems in place to ensure they are reducing carbon footprint. At least three operators are partnered with a specialist organisation to ensure effective recycling and sustainable practices.

**Financial costs**

There was less information on costs in operators' submissions, as some were commercially sensitive. One operator outlined an initiative which offers half price use to low-income users and others that qualify. A few operators claimed their operations created jobs and stimulated local economies by encouraging foot traffic from users.

**Travel costs**

Information from operators was limited. One provided statistics stating that 46% of the e-scooter trips replaced a car journey, and 20% of their trips supported night-time economy. Another claimed their product helps to bridge the last mile gap, and helps to reduce traffic congestion, although they provide no evidence of this.

**Compliance**

Initiatives for compliance were closely linked to pedestrian safety, geo-fencing, low speed and no parking zones, and curfews, as are all measures to improve compliance. One operator mentioned future research into options to mitigate non-compliant behaviours by using technology (e.g., detect erratic driving behaviour, verify proper parking).

To manage complaints from the public or council requests, some operators outlined different versions of a strike system with user accounts. Users would receive warnings for poor behaviour like parking or intoxicated riding, if behaviour did not improve or persisted, accounts are suspended and cancelled.

Another way operators encourage compliance is through incentives. All operators provide incentives such as credits and/or discounts on next ride if the rider uses a helmet and provides photo evidence. Some

operators use a similar scheme to promote better parking behaviours and if a user takes further training, shows evidence of compliant parking or completes an in-app course, they are rewarded.

**Summary**

E-scooter operators were asked the most extensive set of questions and they provided a lot of information for better insight into their operations. Their position statements and supporting documents highlighted a variety of initiatives to improve both rider and pedestrian safety. These included, geo-fenced zones for slower speeds or no parking, incentive initiatives which reward users for using a helmet or parking in certain areas.

Some operators take part in events like university open days or run education campaigns through their apps to encourage rider behaviour in line with the Road User Rule 2004. Each operator has a strong focus on sustainability, with at least three being certified carbon neutral, and all having a number of recyclable parts used in their devices. Operators engage in partnerships for sustainability and recycling old devices, one operator also partners with a road safety group who reviews their safety material.

Operators use a mix of incentives for good rider behaviour and a strike system to manage compliance, if poor behaviours continue, users will have their accounts cancelled. If users display positive riding behaviours, operators will provide incentives. All have an incentive programme for helmet use, and others indicated the same for good parking and taking part in further education.

# Public survey

The public survey ran for three weeks, from 17 July to 7 August 2023 and we received 5,644 responses. We conducted the same thematic analysis as the rest of this report to organise and report survey responses.

Overall, 3,670 people were in favour of renewal and 1,580 people were against.

Waka Kotahi did not undertake formal public consultation in this review of E-Scooters (Declaration Not to be Motor Vehicles) Notice 2018 but acknowledged that there were people and vulnerable groups who wanted the opportunity to express their concerns and share their experiences with e-scooters. Similarly, there were people who use e-scooters as an alternative transport option who also wanted to give their view.

A public survey was posted on our website, along with a webpage of information relating to the declaration and why we are reviewing the declaration.

Waka Kotahi acknowledged there were groups of more vulnerable people who wanted the opportunity to express their concerns and share their experiences with e-scooters. Similarly, there were people who use e-scooters as an alternative transport option who also wanted to give their view.

**What we asked**

- Should the declaration be renewed?
- Why should it be renewed?
- Why should it not be renewed?
- If it is renewed, how would that impact you, your whānau or organisation?
- If it is not renewed, how would that impact you, your whānau or organisation?

**Key themes**

**Pedestrian safety**

Overall pedestrian safety was the second most mentioned theme in public responses, and it was mostly connected to those who were against renewal of the declaration. Of the 1,577 who voted against renewal, 1,293 mentioned an aspect of pedestrian safety. The four most common subthemes were feeling unsafe on the footpaths, inconsiderate use, speed, and noise. These quotes encapsulate these types of responses.

> *"I would be able to enjoy walking in popular areas...with my family without worrying about injury."*

> *"… the majority of users don't have any understanding of the road rules or keeping clear of pedestrians on the footpaths."*

> *"E-scooters are too fast to be riding on footpaths."*

> *"You can't hear them coming, they should be restricted to cycle lanes."*

 1790 people who voted for renewal also mentioned pedestrian safety. The subthemes were similar, most people acknowledging they were a useful form of transport but wanted more regulation.

> *"It would be fine to renew as long as we had more controls in place to ensure people use them safely and sensibility on the footpaths."*

**Rider safety**

Comments on rider safety were mostly seen in the 367 responses that voted for renewal of the declaration. This was largely on the assumption that if the declaration was not renewed, e- scooters would be considered motor vehicles and only be allowed to operate on roads.

Licensing and registration requirements would mean they would not be able to be operated on roads, but regardless, many responses expressed negative opinions on road use.

*"I would feel unsafe in certain areas having to mix with road vehicles."*

*"…. the only time I feel remotely safe riding a scooter on the road, is in a clearly defined and barriered bike lane..."*

Some responses mentioned using bike lanes despite current legislation barring them from those spaces. Of the responses that were against renewal, 203 people mentioned rider safety. These comments often touched on riders not wearing helmets or being safer to be operated in cycle lanes rather than footpaths or roads.

**Sustainability**

This was the third most mentioned theme in our public responses. Mostly seen in responses from those who voted for renewal, 1,431 people cited sustainability. The three main subthemes seen were reducing carbon emissions, lowering congestion, and supporting Aotearoa's climate response.

*"They are environmentally friendly and create less congestion on roads than cars..."*

*"…current rises in petrol costs and increase focus on environmentally friendly transport alternatives, we should be embracing this new transportation."*

*'Great mode of electric transport that requires less infrastructure than vehicles and contributes to reduction in road congestion, pavement deterioration and carbon output."*

In comparison, only 29 responses of those against renewal mentioned sustainability.

**Financial costs**

Reponses mentioning financial costs were mainly seen in the group for renewal, with 996 responses mentioning this. The three most mentioned subthemes were, cost of living crisis, public transport costs and other cost comparisons between e-scooters and car use.

*"E-scooters are becoming essential as our bus and train system continues to increase in price and decrease in quality."*

*"People would continue to commute without the expense of petrol, registration, vehicles checks etc. especially during this time of high living costs, making it hard for people to afford other modes of transport."*

*"They are convenient for users who can't afford vehicles but do have a license and are cheap to maintain."*

Out of the responses against renewal, 110 people mentioned financial costs, many of those mentioned high-cost ACC claims relating to e-scooter incidents. Others agreed that it was a low- cost option, but users were too inconsiderate to justify renewing it.

*"It is costing NZ's taxpayers too much money in ACC claims while the e-scooter companies do not take any responsibility."*

*"I like that people have access to low-cost transportation. Unfortunately, when a person finishes their ride, they do not think of the consequences of discarding the scooter however they deem fit."*

**Travel costs**

Using e-scooters as an alternative form of transport was the most common response from the survey. 2,459 responses out of 3,666 who supported renewal mentioned travel costs and its subthemes. The main subtheme was an alternative form of transport, but responses also mentioned unreliable public transport, travel time and traffic.

*"I would struggle to get to mahi on time, I would not be able to move as freely as I do now." "As a non-car owner, I've found them more reliable than public transport."*

*"I have owned an e-scooter for the past 18 months, and my partner and I now only own one car."*

E-scooters being used as an alternative form of transport to cars, public transport or walking was the most common response from those who were in favour of renewal. E-scooters either replaced some car or public transport options or complemented either mode as a first/last mile solution. The ease of access to an e-scooter and the fact it can be a door-door service was cited often. Other reasons for e-scooters being an alternative mode included the unreliability of public transport in their areas, or that they felt safer using an e-scooter at night rather than public transport or walking.

Submissions that mentioned e-scooters as an alternative transport option were often closely correlated to comments about sustainability, carbon emissions or outputs and meeting government climate policy goals.

**Compliance**

Compliance was largely cited by those against renewal of the declaration - 551 responses out of 1,577 mentioned it. Anecdotally it was seen as connected to responses that mentioned pedestrian safety. Subthemes in these submissions were the lack of consideration of road rules from e-scooter riders, speeding or parking hazardously. Some responses stated there was not enough involvement from Police or authorities to improve compliance.

**Summary**

Most people who took part in our public survey were in favour of renewal - 70% for and 30% against. It was a high-level survey without ability to interrogate specific ideas or behaviours, but it provided a solid understanding of public opinion on current e-scooter operation in our transport system.

The three main themes in the responses voting for renewal were travel costs with 2,459 responses which encapsulated subthemes like alternative transport, and travel time. Secondly, with 1,431 mentions, was sustainability, which covered answers that mentioned lowering carbon emissions, environmental goals, and climate responses. Lastly were financial costs, with 996 submissions citing subthemes like e-scooters are a cost-effective mode, fuel cost and cost of living crisis and comparisons to other vehicle related costs.

The three main themes in the responses voting against renewal were pedestrian safety with 1,293 mentions, which touched on subthemes like inconsiderate use, feelings of anxiety and speed and noise. Compliance was second and cited in 551 responses, related to riding behaviours in the Road User Rule 2003 like giving way to pedestrians. Some of these responses captured statements about enforcing rules. Thirdly, rider safety was stated 203 times, which included subthemes about rider safety on roads, being best suited to cycle lanes and needing to wear helmets.
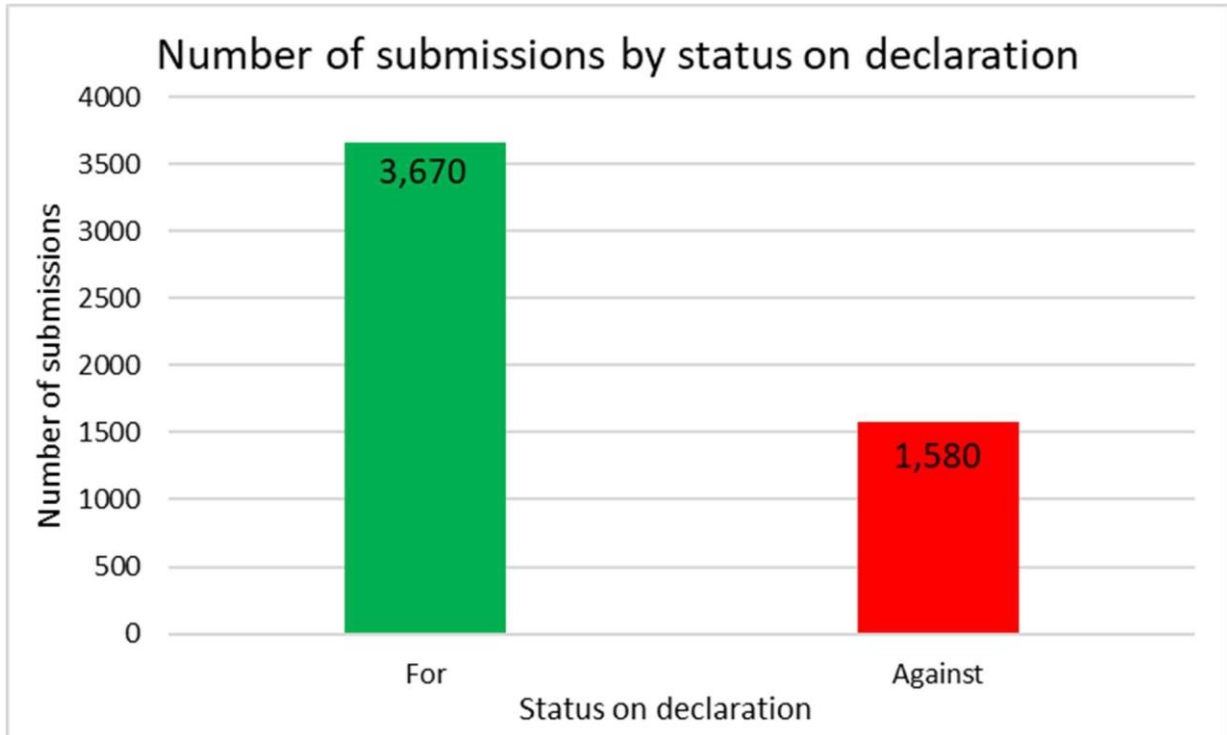
## Survey data – graphs



Figure 1: This bar chart shows the number of submissions by the submitters status on declaration as shown by 'for' and 'against'. This is recorded as "the e-scooter declaration should be renewed" and "the e-scooter declaration should not be renewed" on the survey. Counts are rounded to the nearest 10.
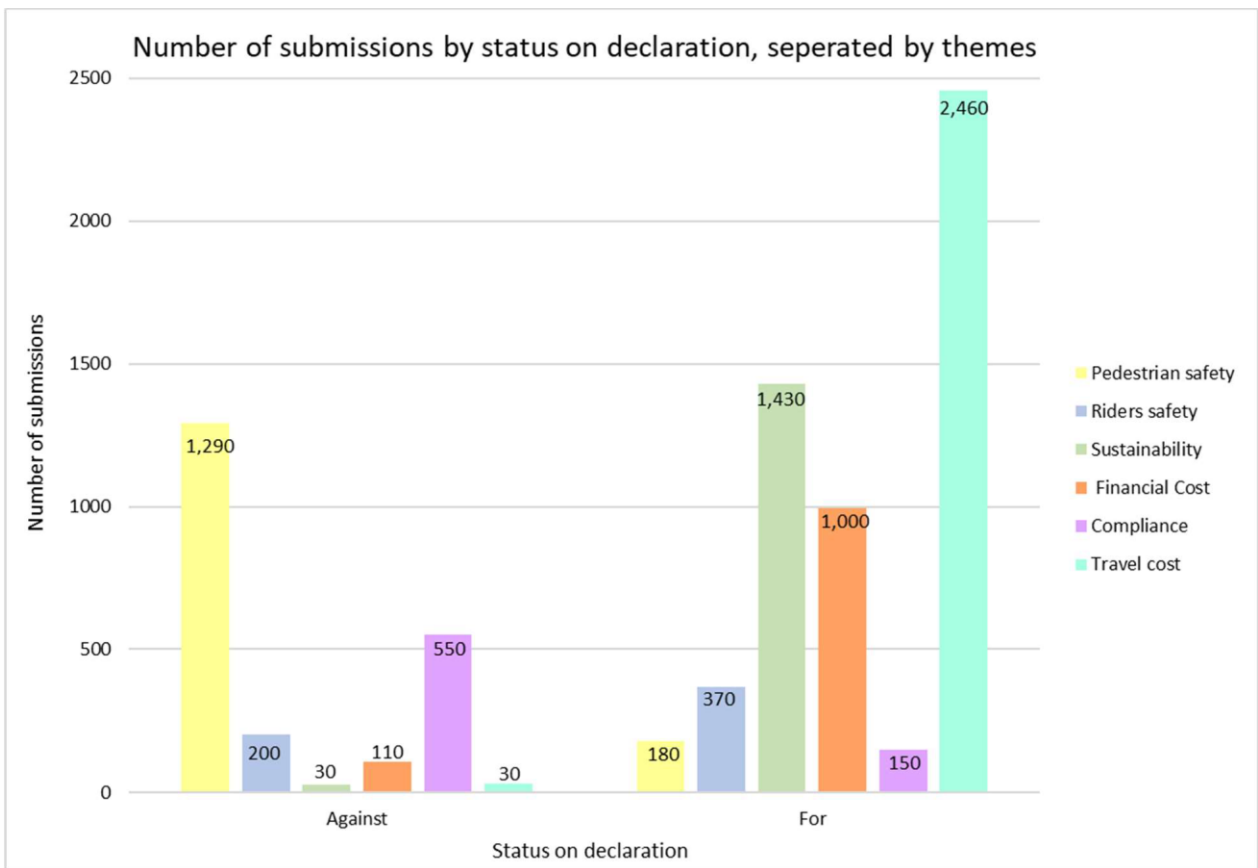
Figure 2: The pivot chart shows the number of submissions by the submitter's status on the declaration, separated by the themes. Counts have been rounded to the nearest 10.

# Summary

Overall, stakeholders and the public are positive about the role of e- scooters within the transport system. Many stating their use as a transport alternative which also contributes to government sustainability goals.

There were six key themes identified throughout the feedback received from all stakeholders and through the public survey:

1. pedestrian safety
2. rider safety
3. sustainability
4. financial costs
5. travel costs, and
6. compliance.

Safety of both riders and pedestrians is the area of contention. Advocacy groups state e- scooters endanger vulnerable groups on the footpath, and their testimonies confirm this. Most e- scooter operators in partnership with local authorities have placed speed restrictions on their devices in areas of high pedestrian density.

Based on the response seen in the public survey, most people are interested in and supportive of this environmentally friendly option. Sustainability was a key question for operators as well, three are certified carbon neutral and all operators can recycle their devices. One specified they can recycle parts of their batteries for new devices.

A key theme which was apparent through the public survey was the extent to which e-scooters are replacing other modes of transport - 99% of submissions mentioned using e-scooters as an alternative transport option. E-scooters either replaced some people car or public transport options or complemented either mode as a first/last mile solution. Cited often was the ease of access to an e-scooter and the fact it can be a door-door service.

Comments on financial costs were seen most commonly in the public responses. Public transport costs and fuel prices are often the motivation for using rental e-scooters or purchasing private devices. Compliance was raised by advocacy groups and in many public responses, both for and against the renewal. People want to see more considerate behaviours from e-scooters riders when sharing the footpath, many would also like to see them operated in cycle lanes.