

Lack of regulation of e-scooters and electric skateboards in Australia

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Less effort than a regular bicycle, more convenient than public transport and less polluting than cars, the use of Personal Mobility Devices (PMDs) is on the rise across Australia. Only 2 in 8 states and territories in Australia consider PMDs, which includes electric skateboards, and e-scooters, as vehicles. The lack of regulation of this type of device by each state and territories has put thousands of people illegally.

The National Transport Commission (NTC) prepared a regulatory framework about PMDs for the Infrastructure and Transport National Cabinet Reform Committee approval. If approved by all members, the regulation will be included in the Australian Road Rules. The document suggests the use of PMDs on most pedestrian infrastructure, bicycle paths and local roads, with speed limitation — 10km/h on a footpath or shared path and 25km/h on a bicycle lane or local road.

This proposal was well-received by stakeholders. It sets the rules based on speed, not on device's power, which provides flexibility within the Australian Road Rules to accommodate new technology as they emerge. "As the technology is changing so rapidly, to future-proof the legislation around PMDs, the framework for electric transportation should be based on all-around speed and how fast they are allowed to drive", says Jeff Anning, founder of Evolve Skateboards.

To pressure the Infrastructure and Transport National Cabinet Reform Committee to approve it, the Electric Riders Australia with the Councillor Brendon Zhu launched the petition 'Let's Legalise PMDs in Australia'. The request supports the inclusion of Personal Mobility Device in the Australian Road Rules, pushing forward a national approach. In the last few days, the petition had more than 2500 signatures.

Benefits of e-Mobility Several studies revealed there are many benefits of e-mobility for individuals and communities:

It encourages people to shop local; It allows people to ride the first-and-last mile of their journeys, regardless of personal fitness; It is sustainable when comparing to short car trips, reducing pollution and road congestion; Active travel improves well-being and health; It allows physical distancing while commuting; "People that use these vehicles on their daily commute in states and territories where it is illegal are not breaking the law because they are rebels or because they want to break the rules. They are just doing it because they want to get around with more freedom, because they want to experience the benefits, making the worst part of the day, the best part of the day", commented Ben Buckler, owner of Ben Buckler Boards.

Worldwide Despite the lack of exact laws allowing them, PMDs are exploding in popularity and can be found in most major cities worldwide.

There are some states in the USA where PMDs are legal, such as California, Michigan and Texas. From 2015, e-riders in California have access to one of the most progressive laws. California Law AB604 allows PMDs on public bicycle paths, including roads. The user needs to wear a helmet and be at least 16 years old. From 2018, PMDs can be used on the same roads as bikes and cars do. The bill contains a stipulation that PMDs' speed would be limited to 25km/h.

In the UK, it is illegal to ride PMD in public places. The law covering e-bikes does not currently include PMDs. However, there is some progress in their legalisation as the UK government announced a £2 billion plan to invest in greener travel. The program includes a 12-months trial on rental e-scooters use in public areas in specific locations. In this trial period, users need to have a driving licence and use a helmet while riding. The trial's inclusion on rental e-scooters is part of the initial plan to ease pressure on public transport amid the COVID-19 crisis.

In some other European countries, PMDs are categorised as bicycles, except for some speed regulations. In Norway, e-riders can go up to 20 km/h. In Belgium, users can ride on the same locations as bicycles, with a 25 km/h speed limit.

Here are the in's and outs of Australian laws for personal electric vehicles.

Are Electric Skateboards Legal in Australia?

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