

## **NON-REGISTERED MOTORISED VEHICLES**

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## Occupational Therapy Australia - NSW

Submission to the  
Joint Standing Committee on Road Safety (Staysafe Committee)  
Inquiry into Non-Registered Motorised Vehicles

26 April 2013

*Occupational Therapy Australia - NSW Division* welcomes the opportunity to provide input into the review of the use of mobility scooters as unregistered vehicles in NSW.

## **BACKGROUND**

*Occupational Therapy Australia* is the professional association representing occupational therapists employed in the public and private service sectors.

Occupational therapists are registered health practitioners under the Australian Health Practitioner Regulation Agency (AHPRA).

Occupational therapists may prescribe mobility scooters as a power mobility option for people whose mobility outside the home is restricted due to disability or chronic health conditions. A mobility scooter would generally be recommended as a cost effective alternative to using a power wheelchair for people:

- Who also walk short distances (usually inside);
- Who are safe getting on and off a scooter; and
- For whom local shops and services would be considered within walking distance.

As mobility scooters can be purchased by individuals without input from any health professional, people will generally seek an assessment by an occupational therapist when it is a requirement for residential aged care/retirement facility or for funding requests. Examples of funding bodies requiring an assessment by an occupational therapist include Department of Veteran Affairs (DVA), EnableNSW. In these situations, a medical assessment from a general or specialist medical practitioner may also be required.

Waiting times for an occupational therapy assessment for a mobility scooter is reported to be long (12 months in some areas).

## **KEY ISSUES AND RECOMMENDATIONS**

### ***1. The current status of non-registered motorised vehicles in road rules definitions and the extent of road safety problems related to their use:***

#### ***1.1 Mobility Scooter Users***

Despite the perception that older people, especially those who no longer have a driver's licence, are the largest group of people who use scooters, *Occupational Therapy Australia NSW* would like to draw the Inquiry's attention to the 2012 survey by the Australian Competition and Consumer Commission (ACCC) that indicates that 51 % of mobility scooter users are under 60 years of age and have impaired mobility.<sup>1</sup>

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<sup>1</sup> Mobility scooter usage and safety survey report, 2012 available on the ACCC's Product Safety Australia website ([www.productsafety.gov.au/mobilityscooters](http://www.productsafety.gov.au/mobilityscooters))

While the road rules indicate that only people with disabilities can use power wheelchairs and scooters on footpaths, the definition of disability or impaired mobility is unclear.

**Occupational Therapy Australia - NSW recommends that any licensing or other restrictions on the use of motorised scooters would consider the impact that this would have on access for people with disability to their local community, social activities and services.**

## *1.2 Assessment and licensing requirements*

Safe use of a mobility scooter requires people to have complex motor planning, high levels of cognitive skills, and appropriate vision. For example, a person using a scooter needs to be able to visually scan the environment and assess the risk of a child running across the footpath.

In addition, people are required to have the ability to get on and off a scooter safely; good sitting balance; and the ability to maintain the scooter in safe working order.

Occupational therapists, due to their expertise in assessing function, are considered as the most appropriate health professional to assess safe mobility scooter use for people with disability. This assessment is currently challenging for therapists as:

- (i) No standardised mobility scooter assessment is available;
- (ii) Assessments are usually limited to one session and may not be a true reflection of the individual's performance over a period of time or in different environments; And
- (iii) The lack of loan mobility scooters for a longer trial to fully determine the individual's performance over a period of time or in different environments.

While there are strict medical guidelines (including visual acuity) for people with specific medical conditions or disabilities in order to hold a driver's licence, there are no such requirements related to mobility scooter use. However, there is no research evidence that the same visual and health requirements are required in order to safely use a scooter.

Occupational therapists report that a person whose medical or visual assessment may not preclude holding a driver's license may not be able to safely use a scooter. For example, a person who passes the visual acuity test may not be able to safely get off a scooter, causing it to tip over; or may not have the physical ability to steer the scooter with two hands on the handlebars.

Conversely, people with a visual impairment may learn to use visual aids in order to use a power wheelchair or mobility scooter safely at walking speed in a familiar environment. In these cases, training by a specialised mobility trainer is required.

People are able to hire/loan scooters through *Shop Mobility Programs* in major shopping centres with no assessment and only brief instructions provided by shopping centre staff.

Occupational therapists report incidents of bullying or threatening behaviour when they do not recommend scooter use to people, especially in situations when the recommendation is

made due to a history of loss of driver's license; dementia; or alcohol and/or drug abuse.

***Occupational Therapy Australia – NSW recommends:***

- (i) That any licensing requirements that include an occupational therapist assessment should consider the need to develop a standardised assessment tool and workforce issues to ensure timely access to a comprehensive assessment.**
- (ii) A medical or vision assessment alone should not be considered as sufficient to determine safe mobility scooter use for licensing purposes.**
- (iii) Consideration is given to re-testing periods.**
- (iv) Consideration may be given to exclusion criteria for people who would be declined a driver's license and who will need to use a mobility scooter on the road due to lack of footpaths in local area.**

***Infrastructure issues***

While occupational therapists do not recommend mobility scooters as a replacement for a car or to use on the road, mobility scooters are used in this way. Some occupational therapists report that their clients need to use the road when footpaths are either not available in their client's local area or that the footpaths are not safe to use due to uneven surfaces, steep gradients or non-continuous travel routes. For other clients, scooters may be used as an alternative to public transport as there is a lack of transport; inaccessible transport or the timetables are not compatible with the client's needs.

Occupational therapists report that they are unclear as to the advice that they should provide to their clients relating to the use of mobility scooters on public transport. Some motorised scooter users believe they should be able to take a scooter into a bus or taxi, even though scooters do not fit on public buses and cannot be secured in taxis. Some users take their scooter onto trains, but others report that staff may refuse to allow access. The size of motorised scooters and associated baskets can limit access by other passengers, with scooters blocking the stairs and doors.

***Occupational Therapy Australia - NSW recommends:***

- (i) That the issue of mobility scooter usage is considered as part of a broader government approach to improving transport options for people with disability and providing accessible environments; and**
- (ii) Information is made available to commuters regarding the rights and responsibilities of mobility scooter users using public transport.**



2. ***The adequacy of data collection for injury and fatality rates arising from the use of non-registered motorised vehicles.***

*Occupational Therapy Australia - NSW* is unable to comment on the adequacy of data collection and does not have any data in relation to injury rates. Anecdotally, occupational therapists report that injuries may include falls when getting on/off scooters in the home in addition to accidents in the community.

It should be noted that surveys, such as the ACCC survey, include only people currently using scooters, and does not capture any data regarding injury rates for those people who no longer use a mobility scooter and who may have discontinued using a scooter due to injuries sustained.

Data regarding injuries is limited to mobility scooter users and does not include injuries or accidents sustained by other pedestrians or damage to other property.

3. ***Vehicle standards requirements for non-registered motorised vehicles including vehicle design, engine capacity, mass and speed controls.***

While there is a legal requirement to travel under 10 kph as mobility scooter users are considered a pedestrian, there are an increasing number of scooters available on the market that have the capacity to travel at more than 10 kph. Although suppliers may put speed limiters on these devices, these can be over-ridden and increasing scooter speeds are the discussion point on many websites. For example

<http://www.divine.vic.gov.au/main-site/out-about/transport/pimp-my-ride-customising-a-mobility-scooter;storyId,1821>

Scooters are available from a number of outlets including online and local stores that do not provide repair and maintenance after-service. People purchasing scooters may not be aware of the need for maintenance or have the ability to do regular maintenance themselves, such as changing tyres.

This may result in scooters being in a poor state of repair, increasing the risk of injury to mobility scooter users and other pedestrians.

Mobility scooters are available in a range in quality, safe working limits and stability in all environments. Scooters that are designed with higher safe working limits to meet the needs of the bariatric population may have already have an unladen weight greater than allowable on footpaths.

***Occupational Therapy Australia - NSW recommends that:***

- (i) ***Motorised scooters that do not meet Australia Standards and/or that have the capacity to travel over 10 kph are removed from sale; and***
- (ii) ***Retail outlets are required to provide written information about servicing schedules at point of sale.***

**4. *The extent and effectiveness of education and the necessity for skills and competency training for users of non-registered motorised vehicles, particularly in relation to safe use.***

Research supports the recommendation that training in the use of mobility scooter has a positive effect on a person's ability to use a power mobility device.<sup>2</sup> The content and intensity of training programs depends on the skill level of the user. However, it is generally recommended that training should include instruction, practice and experience in the community and expected environments of use.

*Occupational Therapy Australia - NSW* applauds the efforts of local government and other non-government organisations in providing group training such as the recent course held by the City of Sydney <http://www.sydneymedia.com.au/seniors-skilling-up-on-safer-scooting/>

*Occupational Therapy Australia - NSW* would suggest that these courses only partially address the need for training as they do not ensure competency.

**5. *Insurance implications of injuries and fatalities sustained and caused by non-registered motorised vehicles.***

Free third party insurance is available to users of mobility scooters and power wheelchairs in South Australia and Queensland to cover injury to other people as the result of an accident.

*Occupational Therapy Australia - NSW* would support the introduction of a free insurance scheme similar to that available in other states to ensure that other pedestrians are covered for any injuries sustained as a result of an accident with a mobility scooter user.

Should you require further information or wish to discuss these matters in more detail please do not hesitate to contact me

Yours sincerely

[Redacted Signature]  
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<sup>2</sup> EnableNSW and Lifetime Care & Support Authority, *Guidelines for the prescription of a seated wheelchair or mobility scooter for people with a traumatic brain injury or spinal cord injury*. EnableNSW and LTCSA Editor, 2011, Sydney

Submission prepared by Ms Linda Elliott; Deputy-Chair, NSW Divisional Council, on behalf of *Occupational Therapy Australia – NSW*

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