

**Submission
No 1**

NON-REGISTERED MOTORISED VEHICLES

Name: Mr Charles Nicholson

Date Received: 26/03/2013

Staysafe (Joint Standing Committee on Road Safety)

Parliament House,

Macquarie Street,

Sydney. NSW 2000.



5TH February 2013

Submission

Staysafe (Joint Standing Committee on Road Safety) Enquiry into Non-registered motorised vehicles such as mobility scooters, segways and electric bicycles on public roads and footpaths and their impact on road safety.

The following outcomes should be considered as a necessary result at the end of the enquiry;

- Compulsory third party insurance. This can be achieved through payment of a nominal amount by all motorised mobility scooter users, for example 10% of current car CTP.
- Compulsory **Provisional Registration**. Provisional registration in New South Wales is already in use for special vehicles that do not comply with Australian Road Design Rules such as Council mowers, farm implements, tractors, etc. Every motorised mobility scooter would then be readily identifiable by small registration number plate.
- Medical need to use, such as need to have assistance in walking, medical conditions that diminish a person's capability to otherwise live a fulfilling life.
- Medical competency to drive, similar to medical competency to maintain a current driver's licence over 80 years of age.

Current situation:

Within the Australian Road Rules 2008 "motorised mobility scooters" are classified as 'motorised wheelchairs'.

The Roads and Maritime Services rules say Requirements of a motorised wheelchair in NSW

A motorised wheelchair in NSW must:

- Not have the capacity to travel faster than 10 kilometres per hour
- Not have an unladen mass greater than 110 kilograms.

As a user, you must:

- Travel 10 kilometres per hour or less at all times

- **Have a reasonable need to use a wheelchair due to physical disability or limited mobility**
- Obey all of the road rules, including signs, for pedestrians
- Not cause a traffic hazard by moving into the path of a driver
- Not unreasonably obstruct the path of another driver or pedestrian
- Not be affected by alcohol or drugs when travelling on a road or road-related area such as a footpath.

A new classification needs to be added to the Australian Road Rules 2008 to separate motorised mobility scooters from the current terminology describing them as motorised wheelchairs.

Motorised wheelchairs need to be left as is under their own classification and not included in any provisional registration scheme. Motorised wheelchairs are easily defined as they are wheelchairs powered by a battery pack and are operated and controlled by a single joystick and are severely limited in speed capability at 3 to 5 kilometres per hour.

Motorised mobility scooters in NSW must be regulated and comply with the current rules.

- Not have the capacity to travel faster than 10 kilometres per hour. **Motorised mobility scooters in NSW currently have the capacity to travel at speeds up to 30 kilometres per hour.** Motorised mobility scooters are currently advertised and sold with these specifications for some models.
- Not have an unladen mass greater than 110 kilograms. **Motorised mobility scooters in NSW are currently advertised and sold with specifications for some models at unladen mass in excess of 150 kilograms and capable of carrying load weights up to 160 kilograms.**

Motorised mobility scooter users must have a reasonable need to use a due to physical disability or limited mobility. However it is apparent many people drive motorised mobility scooters to avoid paying registration and insurance and are often seen to jump off motorised mobility scooters, walk into shopping centres and not be seen for hours on end whilst they shop on foot. The Road Rules appears not to create a penalty for driving such mobility scooters under these conditions, so one wonder what the point of establishing these requirements is.

Motorised mobility scooter users are not be **affected by alcohol** or drugs when travelling on a road or road-related area such as a footpath. However some users deliberately use a motorised mobility scooter to specifically drive to hotels and registered clubs to drink alcohol and drive home on the footpath under the belief that they will not be stopped or breathalysed by NSW Police.

A number of NSW Police have expressed their frustrations to me personally on not having regulations available to be able to enforce any control over motorised mobility scooter uses.

I have discussed my concerns about the lack of regulation of motorised mobility scooters with Superintendent Greg Martin, Commander Richmond Local Area Command, NSW Police, who has expressed his in principle support for pursuing legislative reform in this area in partnership with affected stakeholders.

Conclusion:

I ask the Committee in its report to Parliament to make the following recommendations in regard to Motorised Mobility Scooters.

Compulsory third party insurance,

Compulsory Provisional registration,

Medical need to use and drive,

Compulsory speed limited specifications at 10 kilometres per hour.

I thank you for the opportunity to present this submission to your Committee of Enquiry and would be very pleased to have the opportunity to address your committee in person.



Cc: Mr. D. Page. MP. Member for Ballina. Minister Local Government.

SHOULD A MACHINE LIKE THIS BE CLASSIFIED AS A MOTORISED WHEELCHAIR?

Afikim Breeze Dual 4-wheel



The dual seat 4-wheeler offers all the features of the standard Breeze model but with an extra wide, 80cm, deluxe bench seat and large rear carry tray. Standard features include; fingertip controls, advanced full suspension, full lighting package including automatic braking lights, deluxe high-back seat, **large 17" alloy wheels and powerful motor for hill climbing or negotiating rough terrain.** Offers a 200kg weight capacity, a top speed of 15km/h and a range of up to 50km per battery charge. This model is also available in a 10km/h version which is ideal for hill climbing.

length: height:

178cm 104cm

weight capacity:turning radius:

180kg 180cm