

REPORT OF PROCEEDINGS BEFORE

JOINT STANDING COMMITTEE ON ROAD SAFETY

INQUIRY INTO NON-REGISTERED MOTORISED VEHICLES

At Port Macquarie on Monday 5 August 2013

The Committee met at 1.25 p.m.

PRESENT

Mr G. J. Aplin (Chair)

Legislative Council

The Hon. R. H. Colless

Legislative Assembly

Mr S. L. Ayres
Mr R. J. Park
Mr D. J. Webber
Mr J. D. Williams

CHAIR: Thank you for attending this public hearing of the Joint Standing Committee on Road Safety on its inquiry into non-registered motorised vehicles. The public hearing being held here today follows two earlier days of hearings in Sydney the month before last, exploring a range of issues surrounding the current use and safety risks of mobility devices and associated non-registered vehicles on New South Wales roads. The inquiry is examining the status and definition of these vehicles and the road rules; vehicle standards; the education of users; insurance implications and initiatives to certify, register and regulate their use. The hearing at Port Macquarie today provides an opportunity to take evidence from witnesses who have direct experience with mobility scooters and who have made submissions addressing their safety as well as the safety of other non-registered vehicles. The Committee is also keen to discuss the provision of infrastructure with local council representatives, particularly in relation to the adequacy of footpaths. This hearing marks the end of the formal information-gathering part of the inquiry and will assist the Committee in drafting its report to Parliament later this year. I remind everyone to switch off their mobile phones. If your phone is on silent, I ask you to switch it off completely. I now welcome Charles Nicholson, who is appearing before us this afternoon in his capacity as a private individual. I thank him for appearing before the Committee today.

CHARLES RAYMOND NICHOLSON, Retired District Officer of the NSW Ambulance Service, Northern Rivers, and Volunteer Deputy Controller, State Emergency Service, Ballina Shire, sworn and examined:

CHAIR: I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee may constitute a contempt of Parliament and an offence under the Parliamentary Evidence Act 1901. As time is always limited at these hearings, the Committee may wish to send you some additional questions in writing, the replies to which will form part of your evidence and be made public. Would you be happy to provide a written reply to any further questions?

Mr NICHOLSON: Yes, I would.

CHAIR: Before we proceed with any questions, would you like to make a brief opening statement to the Committee?

Mr NICHOLSON: I made a submission to the Committee on behalf of my family. As a result of a crash in Ballina on Saturday 13 October last year, my wife and another lady were seriously injured. My wife is still recovering from those injuries after spending more than three months in hospital, following surgical repairs to both her legs. My concern is based around motorised mobility scooters and their current definition under the road rules, which classify them as a motorised wheelchair. My other concern is the current rules published by the Roads and Maritime Services website do not appear to be applied in the current environment; namely, the weight restrictions on mobility scooters, the speed restrictions on mobility scooters and the need to have a medical need and assistance in walking to be eligible to drive one does not appear to be applied either. I have noticed in the Ballina area a number of people drive the scooters who do not have any need for them other than they use them as cheap transport. That is a personal opinion of mine based on anecdotal evidence.

CHAIR: Thank you. We did recognise the trauma that you and your wife had suffered, particularly your wife and her friend. On behalf of the Committee we extend to her as speedy a recovery as possible and obviously the rehabilitation that will be included in that. In your submission you recommended that all mobility scooters be provisionally registered. Can you expand on the benefits of provisional registration as opposed to full registration?

Mr NICHOLSON: For full registration the mobility scooters would not come under the standards for motor vehicle registration as a normal motor vehicle in New South Wales but there are a number of other devices such as council-operated lawnmowers, farm tractors and implements that have a provisional registration available even though they do not meet the requirements under the Australian Road Safety Standards as a motor vehicle.

CHAIR: You also mentioned the difference between mobility scooters and motorised wheelchairs. In your submission you suggest that the road rules be modified to distinguish between those two. Why did you make that suggestion?

Mr NICHOLSON: That is correct, I did make that suggestion. My opinion of a wheelchair is specifically that a motorised wheelchair, those driven by electrical battery, be quite specifically a wheelchair that cannot be mistaken for any other implement. They are normally controlled by a small handle on one side of the wheelchair only and they do not have the capacity to be able to proceed at any more than three to four kilometres an hour. In my previous experience of employment within the Ambulance Service I did not see any crashes involving those types of devices. However, the other ones that I call a mobility scooter, they are quite different. They come in all sizes; some are quite large. They normally have some sort of steering wheel on them. They have the ability to be able to change the accelerator to make them go fast and slow. So, I would see they are two distinct types of apparatus for people to use.

CHAIR: I just want to pick up on that speed issue that you introduced there. Austroads has recommended speed limits on mobility scooters be reduced to six kilometres an hour for personal and public safety reasons. Do you think the current 10 kilometres an hour limit on mobility scooters is too high?

Mr NICHOLSON: I do not think 10 kilometres an hour is too high for a motorised mobility scooter. However, most of the current mobility scooters that are used in New South Wales and that are offered for sale in

New South Wales have the capacity to travel at a lot faster speed than that. Quite a lot are advertised at around 15 kilometres an hour and I have seen one travelling at 24 kilometres an hour on the side of the road.

CHAIR: How do you feel that the speed limit should be enforced?

Mr NICHOLSON: I think the motorised mobility scooter should be regulated so that they do not have the capacity to travel at more than 10 kilometres an hour.

CHAIR: At the manufacturer level?

Mr NICHOLSON: At the manufacturer level, yes. Currently Roads and Maritime Services suggest that a motorised wheelchair should not have the capacity to travel at more than 10 kilometres an hour on level ground. However, if the motorised wheelchair, according to the Roads and Maritime Services rules, is able to travel at more than 10 kilometres an hour, it is classified as a vehicle. If it is classified as a vehicle, it should come under different rules and regulations for travelling on road-related areas such as footpaths.

The Hon. RICK COLLESS: Could I just expand on that concept a little further? Reading from your submission I got the impression that essentially you would like to see the removal of that motorised mobility scooter classification and have everything classified as motorised wheelchairs. In other words, keep them under 110 kilograms and under 10 kilometres an hour. Is that where you are coming from?

Mr NICHOLSON: My suggestion is there is a current classification under the road rules for motorised wheelchairs to cover those specifically motorised wheelchairs. But all of those that are motorised mobility scooters have a new classification added to the road rules as motorised mobility scooters, and those are the ones that then have provisional registration and medical competency to operate and drive.

The Hon. RICK COLLESS: I have to say that your comments that they must have a medical need to use and must have that competency to drive is something I personally agree with. I think that is a very good idea. We have had reports—and I think you alluded to this yourself—of people using them as a convenient and economical means of transport rather than having a medical need to have something of that description. We looked at some of these machines this morning. Some had quite a narrow wheelbase and these would be the ones that are in that lighter weight category, and some had a wider and longer wheelbase in the heavier category. It would appear to me, at first glance at least, those larger ones would have increased stability on the road, particularly if they were being operated by a person of a little heavier proportions than lighter proportions. Do you have any view about those sorts of machines being fitted to a particular person given their size and body weight, and so on?

Mr NICHOLSON: That is a very good question. First I should say from the point of view of the mobility scooters I am not one to say we should not have them. I see there is a great need in the community for mobility scooters. It allows people the opportunity to have access to facilities outside their own homes that they may not have otherwise had. People need to be fitted to a type of mobility scooter that is suitable for their needs. Just to be able to go to a shop and buy one because it is a Rolls-Royce model compared to a Mini Minor model to me does not recognise the need of the scooters themselves. Some people are quite large and do need a machine that is capable of carrying them. The machines come in all sizes. There is one there that I brought a copy of with the submission to the Committee that has 17-inch alloy wheels on it that is capable of carrying 200 kilograms. It weighs 180 kilograms on its own. With all of that on board it can still travel at 15 kilometres an hour.

My concern is if one of those is out of control and runs over someone on the footpath—my wife is still around; someone else with one of those things running over them may not be. They may be a fatality. There have been quite a number of fatalities in Australia involving motorised mobility scooters. Most of those have been, unfortunately, the drivers of the mobility scooters themselves that have for whatever reason gone out on the road, running into cars or fallen off them on cement and have died as a result.

The Hon. RICK COLLESS: From a legal perspective, when these devices are travelling at less than 10 kilometres an hour they are regarded as pedestrians. They have the same rights as pedestrians. As I understand it, once they exceed 10 kilometres an hour they are not considered to be a pedestrian. Do you think there is a case for some of the larger devices in particular that are capable of the higher speeds, that registration should be restricted to those while those that are speed limited to 10 kilometres an hour remain unregistered and essentially, as far as the law goes, are considered to be pedestrians?

Mr NICHOLSON: No. I believe that if they are motorised mobility scooters they should have the provisional registration which would carry with it third party insurance. At the moment there is no third party insurance. There is no requirement for third party insurance for any of them. If they are involved in an accident it is up to the individual, the injured party, to go through processes to try to find some sort of cover for that. In some situations the Nominal Defenders Office will be able to cover the insurance through provisions under the Medical Care and Injury Services Levy on the green slip. It all depends on where the accident is and what happened at the time—if it is on a road or a road-related area and the person is at fault. In other areas such as shopping centres, that provision does not apply.

Mr STUART AYRES: The United Kingdom has a series of different classifications of vehicles. Is that essentially the direction in which you think we should head? That for vehicles that appear on the road and/or motorised vehicles we should be creating various classifications and just create a registration system that works for everything?

Mr NICHOLSON: I am not up to date about how the United Kingdom operates its systems. I know it has some sort of system, but there are so many varieties of unregistered motorised wheel devices available in Australia. Of course, I have a personal interest in motorised mobility scooters, but there are so many other vehicles. I found out that the police can do something about wheeled devices, bicycles or anything else that runs into a pedestrian on a footpath, but they cannot do anything about a motorised mobility scooter because it is classified as a pedestrian and will be treated no differently from a person walking on the footpath. If the injured party can prove that the mobility scooter was travelling at more than 10 kilometres an hour at the time of the accident it is then deemed to be a vehicle and the police can proceed under the Australian road rules and apply penalties. However, I could not prove that the machine that hit my wife was travelling at more than 10 kilometres an hour.

Mr STUART AYRES: I will make some assumptions. By way of extension, you believe it would be inappropriate for people to be able to import vehicles that can go faster than the Australian standard.

Mr NICHOLSON: I think so. The Australian standard could be set at 10 kilometres an hour. Scooters Australia has said that it would like that limit increased in line with the United Kingdom limit, which is 12 kilometres an hour. However, there needs to be some sort of limit set somewhere and 10 kilometres an hour seems to be reasonable. Queensland has some sort of system already. All motorised mobility scooters in Queensland are registered and covered for third party insurance through QBE. I think the speed limit is 10 kilometres an hour. That seems to be a reasonable place to start. I suppose a lot of the machines will have to go back to the manufacturer to have the final speed limit reset.

Mr DARREN WEBBER: Thank you for appearing before the Committee. Did you have to cover the cost of your wife's hospital care and convalescence? Was that a burden for you?

Mr NICHOLSON: Initially we did not know. We found out very early in the piece that there was no third party insurance. We were told that probably on the day of the accident. My wife was in hospital for seven weeks before I got a reply from the Motor Accidents Authority that the Nominal Defendant had allocated my wife's medical costs and ongoing medical care to GIO as one of the seven insurers it deals with. At the moment all my wife's medical expenses are being handled through the Nominal Defendant.

Mr DARREN WEBBER: I am glad to hear that.

Mr NICHOLSON: I did not know that that system was available earlier. As I said, the accident has to have occurred on a road or be a road-related incident for that system to apply. If it occurred in a shopping centre someone else's insurance would have to apply.

Mr DARREN WEBBER: Was the driver of the motorised vehicle injured?

Mr NICHOLSON: No. The elderly lady—she was in her nineties—who was driving the motorised scooter obviously lost control of the machine. She hit my wife and the other lady from behind. They had no warning because they make no noise. She ran over my wife and knocked her over and hit the other lady, knocked her over and tipped the scooter over on top of her. A number of people who were nearby lifted the machine off the other lady. The lady who was driving got back on and left. It was only after a number of news

bulletins and articles were published in the local newspapers around Ballina that her family made contact—some 17 days later—to offer an apology on her behalf. I thought that was too late.

Mr DARREN WEBBER: Thank you for appearing today given the difficult circumstances you and your wife are facing. My question does not necessarily relate to your prime concern. I refer to the protection of drivers of motorised vehicles. Obviously we cannot have pedestrians walking on a footpath wearing helmets, cushions, elbow bands, kneepads and so on. Do you have any views about the safety standards that should apply to drivers of motorised vehicles? For example, should they wear a helmet?

Mr NICHOLSON: I have thought about that and I have heard a number of people talk about helmets similar to those used by motorcyclists. From experience I know that drivers of motorised mobility scooters have died as a result of head injuries after tipping over on hard surfaces such as roads and footpaths. I am not sure that a helmet is necessary given the way those vehicles should be operated, but they must be driven competently. When the police got back to me after a couple of weeks they said they could not do anything because the lady had to be dealt with as a pedestrian. They could not take the machine off her and they could not compel her not to drive it.

However, they did arrange a meeting with her and her family and advised them that it might be better if she stopped driving the scooter. They could not stop her from driving it even though at the time she was not in proper control of it. Under the Australian road rules there is a penalty for not being in proper control of a vehicle. The police did not want to apply that penalty and they took her age into consideration—she was more than 92 years old. That is why I believe those who want to drive these vehicles should have a medical certificate saying they are capable of driving and controlling them.

Mr DARREN WEBBER: Thank you, and I wish your wife and her friend all the best

Mr NICHOLSON: My wife is here with me today.

Mr DARREN WEBBER: Thank you.

Mr NICHOLSON: She is coming along well.

Mr DARREN WEBBER: That is good to hear.

Mr JOHN WILLIAMS: Thank you for your submission. While it contains some broad recommendations, I would like to get your opinion. Many submissions have commented on the lack of adequate infrastructure such as level footpaths for mobility scooters and other mobility vehicles. What do you think should be the main priority for councils with regard to ensuring vehicle safety?

Mr NICHOLSON: Councils have a responsibility to provide infrastructure for the community. I can speak about Ballina because I live there. Over the past few years the Ballina Shire Council has installed wider footpaths, particularly in River Street, which is the main street. They are quite wide and level, but unfortunately the scooters still travel in excess of 10 kilometres an hour. I have talked to the council since the accident about separating these vehicles from pedestrians. The footpaths are wide—more than three metres—and the council could draw a yellow line down the footpath one metre out from the front of the shops and scooters should not travel in that space.

People in Ballina have been hit by scooters when they stepped out of front door of a shop because a scooter is right next to the front wall. In December 2011, about 10 months before my wife was run over, a lady stepped out of a shop in the main street and was run over. She was in hospital for over a month. Given that she was more than 80 years old, it has been difficult for her to overcome her injuries. She is now going into a nursing home. It is not the ideal future for anyone.

Mr JOHN WILLIAMS: Do you believe that Ballina Shire Council still does not recognise that it has an obligation to examine the infrastructure and to develop a policy for scooters?

Mr NICHOLSON: Ballina is very flat and it has a large number of elderly residents—many people retire there. It has been suggested that there are between 500 and 700 mobility scooters in use in Ballina, but not everyone who uses them needs to. Many of the footpaths are wide enough to accommodate them, but they must

be shared. In my wife's case, we had no way of knowing why the lady lost control of the scooter she was driving. The footpath was quite flat and level and she should have been capable of stopping.

Mr RYAN PARK: Thank you Mr and Mrs Nicholson. Mrs Nicholson, I hope your recovery is going well. Mr Nicholson, you talked about competency. I can understand the need to demonstrate competency at the point of sale, but some of these scooters are obviously purchased second hand. How would you demonstrate competency then and to whom? Also, how would you deal with establishing competency if they are purchased over the internet—which I assume can be done?

Mr NICHOLSON: Mobility scooters could be registered or given conditional registration. In Queensland people are issued with a certificate or licence to operate a machine. They have to go to the motor registry each year and provide a medical certificate or a certificate of competency from an occupational therapist. The certificate confirms that they can operate the machine and that they are competent. That happens every 12 months. It is similar to what happens with people over 80 years of age who have to have a medical certificate to drive a motor vehicle. It could be applied through that system.

Mr RYAN PARK: I do not want to impose another financial burden on people who often do not have a great a capacity to pay and I am not familiar with the Queensland system. Is it a cost-based system? That is, do people pay for the registration and competency certificate and, if so, how much do they pay?

Mr NICHOLSON: I do not know that they pay in Queensland, but they have to provide a medical certificate to the motor registry every year to be able to get a permit to drive. I do not think they should have to pay for registration and compulsory third party insurance.

Mr RYAN PARK: Who pays the compulsory third party component in Queensland?

Mr NICHOLSON: Every motorised mobility scooter travelling at eight kilometres an hour or less in Queensland is automatically covered by QBE. As far as I know those machines do not normally travel at more than eight kilometres an hour. I think there is an opportunity to do something under the New South Wales green slip program. The Medical Care and Injury Service Levy was added in the past few years to cover not only mobility scooters but also people who are the victim of a hit and run and where the driver cannot be identified. The levy covers the victim in that case. It could be covered by that sort of scheme. I am not suggesting that the elderly who need to use scooters should have to pay. Many of them are pensioners and probably do not need the added expense. However, some responsibility should be taken and people should be competent to use them.

Mr DARREN WEBBER: In our visits this morning the Committee has heard some differing views about the safety of using a motorised vehicle on the footpath and the road, which are both there to share. Do you have a personal view on which is the safer option for someone that is competently driving a motorised vehicle?

Mr NICHOLSON: From my past experience in my working life as a paramedic they should not be on the road. Under the current road rules if someone drives one of those things on a road they must be facing the oncoming traffic as though they are a pedestrian. They are not supposed to be driving them on the road in the same direction as motor vehicles. I do not think they should be on the road; therefore they would have to use road-related areas such as footpaths and need to go a bit slower.

Mr DARREN WEBBER: Do you think the standard width of a footpath in New South Wales is adequate to have a shared system where cyclists, pedestrians and motorised vehicles all use the same footpath?

Mr NICHOLSON: At the moment with cycles a person has to be under the age of 12 to be eligible to ride a cycle on a footpath. The mobility scooters are currently under the wheelchair provisions and are allowed. I would say that they could use the footpath in most areas as long as the footpath is suitable but if the footpath is not suitable and they have to go and use the road then we really need to be very careful.

Mr DARREN WEBBER: In your capacity in the SES do you think the standard road user has enough awareness to deal with a motorised vehicle heading in his or her direction on a typical road?

Mr NICHOLSON: No.

Mr JOHN WILLIAMS: It is the opinion of the New South Wales Government that these mobility scooters are covered for third party insurance providing they met the regulations for a pedestrian vehicle. I think

you said earlier that the Public Defender's Office has provided you with support. Have you been satisfied with this process?

Mr NICHOLSON: Yes, absolutely. We could not find any fault with the way the nominal defender's office has handled Lesley's medical outcome. They nominated GIO as one of the seven insurers and through GIO their people have been very helpful to my wife in her recovery and all her medical costs, which includes a whole heap of rehabilitation that has been going on for months.

Mr JOHN WILLIAMS: If we accept the Government's position on this and in looking to the future we do not have a nominated CTP green slip for these motorised vehicles, do you think that what we are providing at the moment is as good as you are going to get through the CTP arrangements?

Mr NICHOLSON: From the point of view of insurance as long as it is on a road or road-related area yes, but if it is in any other area then I do not know how insurance would go then. Because the injured party would then have to go to an insurer, say, in a shopping centre—for insurance on public areas in a shopping centre they would have to go and fight them for medical care. If it was inside a shop itself it would be the operators of the shop and their insurers; the injured parties would have to go to those people and battle their insurance companies to get assistance with medical help. That could be difficult.

CHAIR: Thank you for the personal and professional experience you have brought before the Committee today. I also extend those thanks to your wife who has attended under somewhat difficult circumstances but who brings a very personal view to this line of inquiry. If the Committee has any further questions they will be sent to you for reply in writing.

Mr NICHOLSON: Thank you very much for giving me the opportunity. I know the Committee has a lot of work to do but I thank you for the opportunity of being able to come and present our small part of this.

(The witness withdrew)

MARK DOUGLAS WALKER, part-time consultant on energy efficiency and retired marketing manager, affirmed and examined:

CHAIR: Mr Walker, I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I also point out that any deliberate misleading of the Committee may constitute a contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Time is always limited at these hearings. The Committee may wish to send you some additional questions in writing, the replies to which will form part of your evidence and be made public. Would you be happy to provide a written reply to any further questions?

Mr WALKER: Yes.

CHAIR: Before the Committee proceeds with questions would you like to make a brief opening statement?

Mr WALKER: Yes, I would. Purely for the interest of the Committee I would also like to table some additional information that was not in my original submission.

Documents tabled.

My principal rationale for responding to the Committee's call for submissions from the public was to firstly make the Committee aware of certain aspects of some of the regulations that I do not feel are necessarily as encompassing as they could be and that in some senses are restrictive. I also wanted to raise the issue that before any legislation or regulations can be passed regarding insurance or registration or licensing of operators of non-registered vehicles I think there needs to be significant statistical data in the form of evidence to support the necessity for doing so.

My further concern, as the Committee had requested information and opinion on non-registered vehicles, was to expand in my submission the notion that there are a lot more non-registered vehicles in use in New South Wales than simply mobility scooters, which seems to have been the primary focus of the Committee at this time, and to be cognisant of the fact that any regulations that would be passed or any rules or registration or licensing requirements might need to be either limited or expanded in order to cover all non-registered vehicle use. So specifically in regard to mobility devices I take Mr Nicholson's view that there should be a difference between the strictly motorised wheelchair operated by a joystick and the mobility scooter which is operated by a thumb throttle or a twist throttle. They are two quite separate vehicles, they are used quite differently and they respond differently based on the software and the engineering that is involved in the manufacture.

In terms of the safety aspect, which is clearly what the Committee's primary focus is, we need first to know which of these devices are the least safe in use and operation. From my research and from some of the other submissions to this Committee it is clear that there are not sufficient methodologies in place in hospitals and various other areas where this data could be collected to differentiate between what vehicles were responsible or involved in any particular accident. For example, if, as we know, a mobility device travelling under 10 kilometres an hour is considered pedestrian then in some datasets an incident involving a mobility scooter will be listed as a pedestrian incident and not a mobility scooter incident.

I think that needs to be clarified. Perhaps this is something that the Committee and the Government needs to take to Council of Australian Governments because clearly there needs to be some sort of national data collection so that the data can be compared, otherwise we will have the rail gauge situation being developed. Queensland has different rules on mobility scooters to New South Wales so if someone moves from one to the other there are different regulations and different rules and before the rules or regulations are imposed I believe there needs to be significant data collection to support that. Quite apart from the necessity of convincing the public that registering or insuring mobility devices is necessary, it would be of benefit to government in having the data there to be able to say, "Here is the data that proves it is necessary."

One of the other things on that same point is—I think Mr Colless mentioned the difference between the narrow and the wide types of mobility scooters—there is also the difference between the Delta trike and the four-wheeled mobility scooters. It is well-known in engineering and automotive engineering terms that a Delta

format is not as stable as the quad format. We cannot differentiate at the moment statistically what one was involved; we cannot say whether or not those are safer or less safe to use. It may be that there needs to be a limitation on three-wheeled Delta form scooters different to the quads. We do not know that without collecting the data to prove whether or not one is more likely to fall over than the other—ditto the narrow ones versus the wide ones. Clearly the wider track is going to be more stable but it takes up more of the available footpath space and more space in shopping centres. There are different parameters there that have to be fed into that equation. That data collection thing needs to be really well sorted and it needs to be consistent across the State and preferably consistent across the country.

CHAIR: I might pull you up here and go to questions because I am sure some of these issues will arise in your answers. In those opening remarks and in your submission you made a distinction between the different categories of non-registered motorised vehicles, and you commented on cost and demands of compliance testing involved in any registration process. You said that there should not be any registration costs or fees for testing mobility scooter users. Can you elaborate on your position concerning compliance testing and registration of currently non-registered vehicles?

Mr WALKER: If you first differentiate between mobility scooters, which the Committee is primarily concerned with, and other forms of non-registered vehicles, in terms of mobility scooters I think the testing and the compliance with existing standards and regulations, whatever they may be as a result of the Committee's deliberations, that needs to come from the manufacturer because that is the most appropriate place for that to occur so that a scooter as sold to a member of the public is compliant and capable of being used safely on our footpaths.

In terms of competency, as has been raised both with the disability advocates previously and Mr Nicholson raised it himself, I think competency is something that ought to be looked at and in some way that does not financially penalise especially pensioners and disabled people's use of those because their income is limited. I mean, even as has been suggested the notion of a medical certificate annually—\$60 or \$70 cost—that does not sound like much for those of us who are on a full-time, you know, parliamentary salaries, but it is a lot to a pensioner who is only earning \$300 or \$400 a week.

If those things could be done in such a way that the cost was minimal, so for example, if there has to be—and I think there ought to be—a medical competency demonstrated, then the competency of use could be demonstrated in much the same way that learner drivers and provisional drivers do their testing with the Roads and Maritime Services at the moment, which is computerised multiple choice, and therefore there would not be a significant cost burden on the Roads and Maritime Services other than processing of the paperwork once that computer program and the test has been worked out.

Mr RYAN PARK: I would like to get your thoughts on the data collection. Have you thought about how you would do that type of collection or what the mechanism would be? Would it be to call for people to do a registration process or to contact the main distributors? I am trying to think of a way to do a data collection that is not hugely expensive because inevitably government will not do it and that does not take forever and a day to do it. Have you thought about the quickest and perhaps the most efficient way of doing this?

Mr WALKER: I have not really given it any serious thought. To me, that is an issue for government because there are government funds. Police, hospitals and perhaps the insurance industry—

Mr RYAN PARK: Because the data could already be out there?

Mr WALKER: It could be, exactly, and it is a matter of getting it collated, but also ensuring that what is being collected is usable by the relevant government departments. As I said, if an incident involving a mobility scooter is listed in everyone's database as a pedestrian incident, then that is not helping us in any way to determine the breakdown of that, and again how do we know how many miles or kilometres the mobility scooters are travelling each year? They do not have a registration system. We can make assumptions, so perhaps a research project needs to be entertained that could sample that from different areas through some sort of physical logbook recording that we could then have as a standard kind of response in the same way that the Taxation Office allows people so many miles per annum and so many cents per kilometre to claim their vehicle expenses. There has to be some sort of benchmark, I think, is the word I am looking for to establish what that is so that we can then measure the statistics against the benchmark of how many kilometres they are doing per annum and compare that to the number of injuries happening in other forms of transport.

Mr RYAN PARK: Mr Nicholson and others said—and I am paraphrasing—they believe that only people who require these types of motorised vehicles should have access to them. Do you share that view?

Mr WALKER: No, I do not.

Mr RYAN PARK: Why is that?

Mr WALKER: My background, as I said, is in energy efficiency and from the extrapolation of that my concern in terms of our whole society is the necessity for us to transition to a low carbon economy. Mobility scooters and small electric-powered vehicles are a very good way for us to do that and take some of the internal combustion engine-powered vehicles off the road. So if someone finds that using a mobility scooter is more advantageous to them and more environmentally friendly and more affordable than a high-speed, petrol powered motor vehicle, then they should be able to have that option available to them. I think the critical thing there is to differentiate between high-speed vehicles and low-speed vehicles.

Mr JOHN WILLIAMS: E-bikes, or pedelics, are currently permitted to have an auxiliary engine with a maximum power output of 250 watts. You have recommended that the cap should be on maximum speed under power rather than the maximum motor power capacity. Can you explain why you think that is preferable?

Mr WALKER: That is a very good question and deserves a considered response. The way in which the current system is regulated is based on the direct application of the motor power to the driving wheel. For example it covers things like hub motors that sit in the hub of the wheel of a bicycle. That type of motor can be regulated electronically such that it will not enable the vehicle to travel in excess of a set speed. The issue with the measurement methodology being only the power of the motor does not take into consideration the necessary function of speed being a function of mass and power. If you have a 250-watt motor, it can move a certain amount of mass at a certain speed.

A 250-watt motor can probably comfortably move a 60 or 70 kilogram person at 30 kilometres per hour. I weigh 120 kilos. A 250-watt motor will not shift my lard arse at 30 kilometres per hour. Therefore, those vehicles are unusable by someone of larger stature like me. However, were it a function of power, mass, gearing and speed as the final arbiter, then as in the American legislation, which allows up to a 750-watt motor for motor-assisted pedelics, then something between the 250 and the 750 would definitely be enough for me to use that as an alternative form of transport, not just to hoon around the streets like some of the kids do these days; it has to be speed related. Because bicycles are used on the road they need to be monitored by the police; it is the police's function to monitor speed on the road. That is their role in our society.

If a bicycle is travelling faster than the regulated speed, then there would be a fine for that and the vehicle could be confiscated under the hoon legislation, for example. But definitely the problem at the moment, as I see it with that legislation, is that it does not take into consideration mass and incline because specifically on hills whereas a 250-watt motor could probably move my lard arse across this level floor, if I tried to climb Hill Street here in Port Macquarie or Sea Street, which leads to my house in Kempsey, there is no way even with pedalling I can get up that hill, especially with my medical conditions as well. I think we really need to revisit the measurement methodology and perhaps look at the way in which that could be expanded to make that alternative form of less polluting transport more available.

CHAIR: I notice that is one of the subjects you raise not only in your submission but also in this paper that you handed us today, so thank you for that. Mr Webber, do you have a question?

Mr DARREN WEBBER: Mr Walker, just expanding on the first question from the Chair on making insurance compulsory, you suggest that it be incorporated into the point of sale originally. Can you expand on that and any other suggestions? Cost seems to be a common issue for people in this sector.

Mr WALKER: It certainly is. I think the Committee needs to take into consideration the actual cost of these types of devices. You seldom see a new mobility scooter for sale for less than \$2,500 and they can range up to \$7,000 or \$8,000. If you are shelling out \$2,500, an extra \$100 for CTP insurance is not going to be a major concern. What I am suggesting is that you need to contact the insurers and asked the insurers, as presumably the government has done in Queensland, whether someone is willing to tender for that business to provide that third party coverage for the life of the vehicle and therefore it can be a one-off payment so perhaps it needs to be \$250. But again we need the statistics for the assessors at the insurance companies to be able to say, "Okay, well, what is the risk profile? How do we cost that risk profile based on what is likely to happen?"

The other issue I raised in the meeting before and I would like to raise again here is who covers the rider? Unless there is compulsory insurance for the rider, then the rider is not covered. As a community are we concerned that in the case of an unstable scooter falling over and injuring its elderly and frail driver, that they have no recompense other than the public hospital system? Perhaps that is something that the Committee might like to look at as well and perhaps that could be something, as I suggested in my main submission, that could be a value-add that the insurers could offer at the point of sale.

Mr DARREN WEBBER: Further to Mr Williams' question on the potential for a high powered motor depending on the weight ratio, I think most people would be in the same category as me, with a fluctuating weight. At what point would the calculations be made and if someone was to substantially lose weight like I did over Christmas, the potential to have a higher speed and a higher powered motor as a result of your weight loss could potentially have you going over the intended speed.

Mr WALKER: I agree and I accept your concern, but the point I made was that the speed is a function of mass and gearing and electronic gearing is possible through software on the motor. The speed should be the arbitrary limit not the power of the motor. Let the manufacturers and the owners sort out the gearing and the motor but make the speed as it is in the United States, 25 miles per hour—30 kilometres per hour. Most healthy, fit young people can propel a bicycle to in excess of 30 kilometres per hour, especially downhill. Frankly, I would not like to do that at my age and in my health and condition, but it is possible.

We need to look at it from the point of view of the utility and fairness in application of the rule of law. If we say that bicycles have no restrictions, no CTP and no registration, then is it fair to say that mobility scooters must have it when they travel slower and on the footpath rather than on the road where they are not exposed to motor vehicle injuries which is what mostly happens to bicycles, hence why I raised the issue of expanding the scope non-registered vehicles to vehicles that might be able to be registered were we able to expand the definitions of what a vehicle is.

One of the things I raised in my submission is the notion that we should be allowing neighbourhood electric vehicles to be purchased and operated in Australia. Most of the states in America—48 of the 52 states—have now passed legislation that allows for neighbourhood electric vehicles. The highway code, the National Highway Traffic Safety Administration, has designated the standards for their operations so it is a similar sort of committee to you people but on a national scale in America and they have limited those. I think their weights are probably a little bit high—I think the mass is 1,100 kilos or something like that. I think 500 kilos would be more than adequate. But the speed again is the critical thing. They are only allowed to travel at 40 kilometres per hour and they are not allowed to be used on roads that are in excess of 60 kilometres per hour. They are not even allowed to cross roads that are in excess of 60 kilometres per hour.

So for example, if you had the M7 motorway here, Blacktown shopping centre here and a large retirement village here at Quakers Hill, the elderly people or anybody would not be allowed to cross that motorway to access the shopping centre unless there was like a bus lane put in, which again is an infrastructure issue. But all those kinds of concerns are merely incidental to the necessity for having that kind of alternative transportation available. We face the situation quite clearly where carbon emissions are increasing. We have a State and a national target to reduce our carbon emissions, getting cars off the road is a good way to do that; neighbourhood electrical vehicles speed limited for use around local areas is a very good way to do that.

If I can draw your attention to the additional points at the last two pages of that there are some examples there which I have highlighted for you so you understand what it is that I am talking about. The first two on the top line there are neighbourhood electric vehicles. The one on the left, the blue one, is a Chinese-made vehicle; it looks like a small car; it is very lightweight but it is geared and restricted to travel at only 40 kilometres per hour. The one next to it—and I put this one in deliberately—is a Tazzari, which is made in Italy, and it is actually a full high-speed electric vehicle but is capable of being limited electronically to 40 kilometres per hour, so it can be sold as a neighbourhood electric vehicle in America and in Europe. So there is a lot that can be done in terms of the manufacturers' abilities to highlight these things.

The next line there is a couple of the golf-cart type vehicles which are sold in the States. The difference between them in principle is that they have indicators, a horn, windscreen wipers, a roll cage and I think safety belts—I would certainly recommend they have safety belts. So there is another option that we could look at, that they are currently not able to be registered but perhaps ought to be able to be registered. I would also like to draw your attention to figure number eight at the bottom of the page. That particular vehicle is a tricycle;

technically it is a pedelec tricycle but it could be a bicycle without the motor on it, it could be a moped if it was capable of 50 kilometres per hour, it could be a neighbourhood electric vehicle if it was restricted to 40 kilometres per hour and it could be a pedelec if, under the current legislation, it only had a 250-watt motor. So when we are looking at what types of vehicles we could have on the roads I think we need to perhaps look a little bit more widely at what we might be able to use, what could be cost-effectively used and what could be cost-effectively used safely.

CHAIR: There are a host of vehicles which we are currently aware of and there are trials currently underway at Macquarie University of the personal mobility devices. They are somewhat smaller than those because they just take the individual, but we are facing a technological future where we will be confronted with a host of these. So thank you for bringing those to our attention.

Mr STUART AYRES: I am not sure if this is a question—it is more of a statement—but just to summarise the points that you are making, I think the first key point is that there is probably a raft of data that is actually out there that we are not collecting, so focus on that and use that as a body of evidence to frame future decisions.

Mr WALKER: I am nodding, for the record.

Mr STUART AYRES: I think the other key point is to recognise that there is a significant increase in the number of types of vehicles that could be used on roads and that we need to be adjusting the registration categories to reflect that. The third one would be that in relation to those motorised bikes or, for that matter, any other electronic motorised vehicle, we need to have an appropriate speed setting as a determining factor to reflect Australian standards.

Mr WALKER: Absolutely. In a nutshell that is what I am trying to say. The other issue which I raised in my submission, which we have not discussed, is the applicability of regulations for other non-registered vehicles; for example, ATVs. Currently ATVs are supposedly only used on private property and in some very limited designated public areas like Stockton Beach at Newcastle. If we are looking at whether or not we need to have CTP insurance, some sort of competency training or registration or whatever for mobility scooters and other small non-registered vehicles we really ought to be looking at those as well.

There was a report on the news I think earlier this week that in Armidale an ATV rolled over and killed someone, and there was another person injured recently. Where are the statistics for those being gathered and where are they being collated so that we can look at that as well to see what sort of response Government ought to be making to that? Again, because they are not registered and they are for use on private property the only way you could provide for any sort of insurances for that would be at point of sale for the life of the vehicle, without implementing a registration scheme, which you probably would not get past Parliament.

The Hon. RICK COLLESS: I have only got one brief question, Mr Walker. When you talk about these neighbourhood electric vehicles I am assuming that they would carry a full registration and CTP, et cetera, et cetera, given that they would be used essentially on the road?

Mr WALKER: Unquestionably. They would have to be operated by a licensed driver. It is feasible that a restricted licence—for example, we were talking about Mrs Nicholson's case where the 92-year-old elderly woman lost control of her scooter. Perhaps people who are over 80 and are not able to use, for medical reasons, a high-speed motor vehicle there might be a restricted licence category that enabled them to use a neighbourhood electric vehicle and then as they aged and became more infirm they would lose that capacity and then be limited to a scooter and then eventually they would have to be carted everywhere by taxi. But I think we need to look at that from a holistic perspective: how could we better suit the transportation that could be available to the needs of the community?

CHAIR: Thank you. We have covered a range of topics and I am sure there may be a few more questions that members would have liked to ask, which we will send to you for reply in writing. Thank you for the additional material and for appearing before the Committee today, Mr Walker.

Mr WALKER: Thank you for having me, and could I echo Mr Nicholson's remarks on bringing yourselves to us. It is very much appreciated.

(The witness withdrew)

(Short adjournment)

NICHOLAS JOHN GAINSFORD, Road Safety Officer, Port Macquarie-Hastings Council, sworn and examined:

CHAIR: Thank you for appearing before the Committee today. I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee may constitute contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Time is always limited so the Committee may wish to send you some additional questions in writing, the replies to which will form part of your evidence and be made public. Would you be happy to provide any written replies to further questions?

Mr GAINSFORD: Yes.

CHAIR: Thank you. Before we proceed with questions would you like to make a brief opening statement?

Mr GAINSFORD: Yes. I will be brief. In my role as a council Road Safety Officer obviously there are issues related to the road, and mobility scooters, or motorised wheelchairs, certainly come up in that regard. The issues are two-fold, as I mentioned: the concern with injuries to the actual scooter user but also to the general public as well and I think they are two issues that need to be looked at from both areas. Also, in terms of consultation with the community, I have found that the regulations regarding scooters and the use of scooters—just to backtrack: I am employed by the council and the Roads and Maritime Services; I am employed by both organisations. Roads and Maritime Services like the term "motorised wheelchair" instead of "mobility scooters"; all the literature refers to "motorised wheelchair". It is a generic term "mobility scooters" but the RMS differentiates between the two. In as much as that, there are issues with the use of either and I think they need to be addressed in terms of what the community understands.

In my role I have numerous engagements with community organisations in terms of driving and also just in principle in terms of mobility scooter use, and there is a lack of understanding of the regulations in terms of what they are classed as; it comes out all the time. There are a number of senior driver courses and they are not aware that scooters are actually a pedestrian. The majority of the public think they are an actual vehicle and then you have the problem of them on the footpath and they say, "Why are they on the footpath?" and you say, "They are allowed to be on the footpath because they are a pedestrian". I think some of that needs to be addressed, and I will go into that further in terms of educational campaigns and things like that.

That is what I have found with people's concerns: they cannot differentiate between the two. The other problem is that as well they see the scooters on the road so they say, "Are they supposed to be on the road or are they supposed to be on the footpath?" So we have that issue. That is a problem, and just coming from a local government area that has a large population of retirees, we have a significant number of scooter users—probably more so than in other areas. The mid North Coast has the highest demographic of over-60s in the State and it is given that there is going to be more of these scooters in our area. So that is a problem as well. Certainly from a local government perspective it is something that council is aware of and is working towards. We found out today the footpath network issue needs to be addressed, and it is not just our local government area, I can guarantee it is throughout the State that they are having a similar problem and having a similar problem in terms of budgetary constraints in that matter as well.

CHAIR: Thank you very much. May I, on behalf of the Committee, express our thanks to the council for hosting us here today and to you, Nick, for accompanying us on our tour of inspection earlier in the day. Your submission from council stresses the need for local government to develop those networks of friendly motorised scooter and pedestrian paths to which you just referred. The submission from Scooters Australia also advocates a greater role for local government in the provision of infrastructure for mobility scooters, or mobile scooters, as a centre for, as you said, a large retirement population, a large aged population, with the attendant requirements for infrastructure to accommodate those mobility scooters and other devices. What is the state of current infrastructure to accommodate them in Port Macquarie and where would you see the changes occurring in the future?

Mr GAINSFORD: I think from the Local Government Association perspective our footpath network—and I do not think people will disagree—is quite fragmented; there is not a continuous desire line for foot traffic—when I say "foot traffic" I include scooters in that as well—from point A to point B. It is something the Access Committee is addressing and council is addressing. So there is a continuous link between, say, the

aged care centres and the CBD and shopping centres. I think that is a priority in terms of what needs to be done. But not only that, not all of the mobility scooter users are located in aged care facilities; there are obviously a lot out there in the community that live in private dwellings, and a footpath situation there may be inadequate and, like I said, fragmented. So I think council is certainly working towards that.

A footpath is one aspect of it and then you have got the associated infrastructure of crossings and pram ramps at each curve. I think someone mentioned this morning there is no point in having a footpath that just finishes straight on an eight-inch kerb. So pram ramps need to be accommodated on every kerb and then you need crossing points as well. So it is not only the cost of the footpath it is the cost in terms of all that added infrastructure that you are going to put in so it will work. The old standard was a four-foot pedestrian footpath but now we have shared pathways for bicycles and for pedestrians. Those are wider—seven to eight feet or 2,100 to 2,400 millimetres. Those things needed to be taken into account and, as I alluded to earlier, the budgetary constraints are the biggest problem in terms of council's operational structure and delivering the footpaths. But access has certainly been improving over the last few years. The senior hierarchy of the council is aware of it.

In the three years I have been at council we have been on two tours with the access committee, where there has been a cavalcade of wheelchairs, mobility scooters, motorised wheelchairs, Zimmer frames and all those sorts of things, to show directors and councillors the problems that people face every day. That was a great exercise. The first year, when we did it from Westport Park into the central business district, the powers that be found that there were significant problems in terms of infrastructure—level footpaths, pram ramps and crossing points. Last year we went on a tour of Garden Village—where we were this morning—to the closest shopping centre, which is Settlement City, and we found the same issues there, especially driving along Hastings River Drive. The verge is very uneven and there is no footpath so it is very hard for people on scooters to travel safely. That brings us to the next point: forcing the scooters onto the road. The rules say a mobility scooter can travel on the footpath at under 10 kilometres an hour but if there is no footpath they are permitted to travel on the road. Then we move to the additional problem of the safety of the scooter user on the roads, especially main arterial roads that carry heavy vehicles and a lot of vehicles.

CHAIR: Thank you very much. I am sure we could talk on that issue for some time but I might throw to Mr Colless for the next question.

The Hon. RICK COLLESS: Mr Gainsford, in the morning, during the discussion we had with the access committee, the concept of the Yellow Brick Road was raised with us. Is council supportive of that concept, both morally and financially?

Mr GAINSFORD: Yes, most certainly. To the best of my knowledge, the design has been done for the initial Yellow Brick Road—correct me if I am wrong—from Town Beach into the central business district. Obviously, if you are going to implement such a strategy the footpath has to be 100 per cent safe and all the detail has to be addressed. For that to work the infrastructure has to be in place to start with, and then the Yellow Brick Road can be put in place. Certainly my section of council, which was involved in that, is morally behind it.

The Hon. RICK COLLESS: One of the other issues that came up in our discussions this morning was the use of helmets and other safety gear by mobility scooter operators. What is your view on whether helmets should be made compulsory for these scooters and other sorts of motorised vehicles?

Mr GAINSFORD: That is certainly an issue that has come up in terms of safety gear. The use of helmets is one thing. We have run quite a few workshops where we have given out safety gear—vests, flags, horns, lights and all those sorts of things. They are parts of the safety package. Using the obvious example of bicycles and helmets, enforcement and compliance may be the issue. My personal opinion is that if you made it mandatory to wear helmets you might have fewer people on the scooters, because of the aesthetics—the idea of wearing a helmet while you are doing something.

The Hon. RICK COLLESS: What about some of the other physical safety measures? You mentioned flags. They would probably be important for initial recognition that the vehicle is there.

Mr GAINSFORD: You are quite low on a scooter. There is anecdotal evidence that, especially in towns that have front fences and hedges, someone who is backing out a car cannot see a scooter travelling along the footpath because it is lower. The flag gives you that extra bit of visibility. Obviously, from a safety

perspective, helmets would definitely work when there are falls, but I have an issue with the compliance and the enforcement. There may be a drama there. Safety flags and vests are used, and I think someone commented, when we were looking at it this morning, on the colour of the scooters as well. They can be a bit camouflaged if they are a darker sort of colour. Maybe they should have higher-visibility colours so that they are more visible, especially when they are on the road.

Mr STUART AYRES: Part of the discussion has been about the idea of registration. If we are able to create a registration system, what are the benefits of that for local government?

Mr GAINSFORD: That is a good question. I refer to the bicycle situation because it has been mooted for bicycles so that if there is an incident you can keep track of the bicycle or mobility scooter. The local government would have an idea of how many there are in the area. At the moment we do not really know how many there are, because there is no official register or database for them. So it would certainly aid local government in knowing the numbers and the locations. Then local government could look at putting the infrastructure in place.

Mr STUART AYRES: Do you think there is a need to create a CTP system for mobility scooters?

Mr GAINSFORD: I was listening to earlier comments. That is an issue. At the workshops we speak about that in terms of liability. If someone is injured we could become involved in a tort of negligence and those sorts of things. For every wrong there is a remedy. If you hit someone there may be a problem. Insurance is something that definitely needs to be looked at. I always talk about three categories of insurance. There is comprehensive insurance, when a vehicle is stolen or damaged. If someone is injured then there may be a problem in terms of liability. That is certainly an issue, and people buying them need to be made aware of that. The NRMA offers different insurance policies to cover that. When people buy scooters a lot of retailers will inform the customers of what their insurance options are. At the workshops we run we make a point of telling people because it is a concern if an elderly person, of limited financial means, injures a person and there is no insurance. If a person is injured quite severely they will look for a remedy.

Mr STUART AYRES: In your experience in this local government area, and your engagement with access committees and local constituents, what type of price threshold do you think might exist? Is there any threshold at all in terms of the participant being able to cover insurance?

Mr GAINSFORD: It is only a nominal fee. It is not a lot; I think it is around \$30. There is a type of insurance you can buy, when you buy the scooter, to cover you for those sorts of things. That is from what I gather from listening to the people who are involved in that. I think that is something that needs to be looked at. When people buy the scooters they should be informed. Because of the nature of scooters they are used in enclosed spaces. I know shopping centres have the problem of people being injured—they are knocked over—in those enclosed spaces. It comes back to the liability of the user. And there is the legal perspective of who is at fault and where it happens. Did it happen on a road reserve? Did it happen on private property, in a public property or on commercial premises? Definitely, I think that insurance is an issue. Despite that, we do not want to impose added costs on scooters because, as we all know, the majority of people who use them are elderly or infirm, and they may be of limited financial means, and I do not think we should be trying to increase the burden on them. As a government we probably need to look at how we can work out a solution that helps everyone in that regard.

Mr STUART AYRES: I suspect that those two things—registration and CTP—are inextricably linked. I am not sure you could get one without the other. I will move away from the mobility scooters and powered wheelchairs. Have you noticed in your local government area the emergence of any other non-motorised vehicles?

Mr GAINSFORD: Quad bikes—the all-terrain vehicles—are an issue, but more so in the rural areas, on the rural roads. In my role I obviously spend a lot of time on the road. The bicycles that have the little motors on them seem to be popular, especially with kids, because they are like motorbikes that you do not have to have a licence for, or register. If they become more prevalent that may become an issue. At the moment you only see them around occasionally; they are probably a lot more common than they were five years ago. Twenty or 30 years ago we would not have thought scooters would be a problem. With the number of scooters we have now—and in 20 or 30 years we will have a lot more—we need to address the problem.

Mr DARREN WEBBER: This committee was told, by a representative of the Motor Accidents Authority, that a person injured by a mobility scooter on a road or a road-related area is covered by the compulsory third party insurance scheme as long as the scooter is compliant with relevant speed and weight limits. Do you have an opinion about the effectiveness of the New South Wales compulsory third party insurance?

Mr GAINSFORD: Looking at it from a legal perspective. In determining the speed of the vehicle you are talking about a small increment of speed—10 kilometres an hour and over. It is very hard to gauge the speed of anything if you are standing stationary. If you are in an accident it is even harder. To backtrack, I think that if vehicles are limited to 10 kilometres an hour they should be governed at that. There should be a governor on the motor so you cannot go over 10 kilometres an hour. At the moment it is a bit of a free-for-all and they go over that speed.

Certainly, in terms of the third party insurance on the road reserve, if the driver of the vehicle is going over 10 kilometres per hour and it goes to court someone has to prove fault. It is easy to determine the mass because the vehicle can be weighed. In any negligence claim it will come down to who, in terms of the burden of proof, can get their points across. I am making it simple. That is a worry, especially if there is an accident on the road reserve.

Mr DARREN WEBBER: Have any issues arisen, from the council's liability perspective?

Mr GAINSFORD: Not in terms of mobility scooters. We have had some pedestrian fatalities in the last few years but not involving scooters, but that may change in the future. With the number of scooters on the road I dare say it will. It is something that insurers and council will have to be aware of. Once it happens I think it will be a problem.

Mr JOHN WILLIAMS: I think Mr Webber touched on this. We heard evidence from Mr Nicholson, but how many accidents have been reported to council relating to mobility scooters?

Mr GAINSFORD: The accident and crash data comes from Roads and Maritime Services. Every accident that is recorded by the police is included in that data. Then it is broken down into specifics—pedestrians and those sorts of things. That was one of the points I made in my submission. The data does not differentiate until you drill down, when you find that a scooter was involved. That is included in the category of pedestrians, over all, at the moment. I think that the differentiation of motor scooters is something that Roads and Maritime Services will need to look at when they do the data. In my role at council I have not received any information about those accidents. They have probably occurred but they may not have been reported. We only hear about the reported ones.

Mr JOHN WILLIAMS: Within the Port Macquarie-Hastings Council, how do you see the priority for developing a network of suitable footpaths for carrying these vehicles? Do you think that is a burning issue at the moment?

Mr GAINSFORD: I think it is, because the lack of footpaths and the lack of links between footpaths are certainly issues that members of the community bring up every time they are asked to give their thoughts on issues in the area. We have sections of footpaths and new developments and those sorts of things that need to be included in a footpath network. Generally, footpaths are not included in new subdivisions any more. You just have the grass verge. As you are probably aware, roads are a lot narrower in subdivisions than they used to be. So you have problems in terms of development and planning. But in the central business district and the periphery there is certainly scope to put footpaths in. There is enough room to do it.

Mr JOHN WILLIAMS: On that basis, has the council prepared costings for what they might need to spend to put in a suitable network?

Mr GAINSFORD: At the management level, in terms of operations, because I am in the technical services section, I am not privy to that. I am aware that in terms of upgrading roads, footpaths and the verge are included where road upgrades are happening. For instance, at Park Street where we were this morning, that section is to be upgraded, widened and pedestrian refuges to be put in in that section.

Mr JOHN WILLIAMS: When you mentioned earlier that there was some recorded pedestrian accidents or fatalities, could they relate to the lack of provision for footpaths?

Mr GAINSFORD: No. The latest one, the report came back that it was not related to the lack of footpath, and the other ones occurred on the highway, so they were not actually in residential streets.

Mr RYAN PARK: The Gold Coast in Queensland and parts of those tourist areas have introduced Segways, assuming it is a bit of a tourist attraction and things like that. Given that this area becomes a destination for tourists to enjoy, particularly during the warmer months, what is your opinion on Segways? Can you see them working here? If not, why not?

Mr GAINSFORD: As a tourist attraction they probably could. I cannot see them being utilised by the general public but more as a tourist thing, something that is different to get around with. I know in other areas they are popular. I think they use them in Leura or somewhere in the Blue Mountains. In Sydney, I am not sure how popular they are. They certainly can be utilised, and that is another problem, because they would be classed as a pedestrian, so you only have a finite space. The space was actually built for foot traffic, and it is being utilised by all these other mechanical and pseudo mechanical—

Mr RYAN PARK: Devices.

Mr GAINSFORD: Yes. It becomes a drama. Do you go the way of separate footpaths for pedestrians, separate footpaths for scooters, bikes and Segways, and those sorts of things?

Mr RYAN PARK: It is a lot of money.

Mr GAINSFORD: It is a lot of money, yes, or do you have dual carriageway footpaths? There are certainly options to look at, but obviously it depends on the size and scope of what you are doing.

CHAIR: You mentioned workshops earlier. I want to explore that particular area a little. Other submissions, along with yours, raised a series of concerns about the use of non-registered motorised vehicles on the road-related system in general, including lack of appropriate standards, scarcity of training for the riders, lack of general awareness of rules, and standards governing use. Does your council provide any education or training programs for people interested in pursuing the use of such vehicles?

Mr GAINSFORD: From my perspective, it is more that the funding for those campaigns comes from the Roads and Maritime Services, not from the council, so it comes from the State Government.

CHAIR: You would see it continuing through road safety officers in that form. Some councils have taken action themselves and have tried to introduce a system of monitoring and training. How would you see that best being achieved? From your experience now, you have mentioned workshops. How do you see the best outcome?

Mr GAINSFORD: It is definitely possible. From the number of scooter users we have in the area, you could incorporate a training day or a training session on a large area similar as you do your bike safety education, similar to that where you have a flat area and you can go through the different aspects of operating a scooter, the situations that might arise that you might come across in how to deal with them. As an initiative, it would be a great idea if it could be incorporated into the local government road safety program for the training of people on scooters. In the private sector, I am not sure how much training is out there in the use of the scooter. It would be a good initiative if council could provide training for people on scooters.

CHAIR: Prior to the safe access committee, we heard some ideas in that particular vein of an awareness campaign for motor vehicle drivers as well. How important do you think that is?

Mr GAINSFORD: Yes, I mentioned that in my submission. I think an educational campaign would be really beneficial for the wider public so people can be aware—well, two-fold. An awareness campaign where you say, "People on scooters are going to be on the roads similar to bicycles." If there is an accident, they are going to come off second best, there is no doubt about that, so the onus is on the vehicle driver to be careful when other people are on the road that are vulnerable, such as scooters and cyclists. Also, on the other hand, from a personal and mobility scooter point of view, to reinforce what the road rules are for them so they obey those road rules so it means it is a two-way street. Most definitely, through the Roads and Maritime Services or through Transport New South Wales, the campaign to reinforce the rules would be very pertinent and a good idea.

CHAIR: Thank you.

Mr DARREN WEBBER: Are there any further suggestions you would like to add from the point of view of Roads and Maritime Services that could be incorporated into their licensing scheme for road awareness in your role as road safety officer, given one of our people here today suggested that the typical road user was not aware and competent when dealing with motorised vehicles on the road?

Mr GAINSFORD: An educational campaign in terms of awareness would definitely work, but also maybe in the licensing system, when people are getting licences, it may be mandatory to mention that there are other vulnerable road users on the road, that they need to be aware of those. For instance, the campaign for mobile phones at the moment, a second's distraction can cause a life-time of grief. If you collect someone on a scooter or a bike, there is a fairly high chance that they will be seriously injured if you are in a car. That needs to be addressed. That brings you back to the problem that those scooters should not be on the road to start with. In a perfect world, if we had a beautiful footpath and pedestrian network—things work well in theory but when you look at them in a practical sense, sometimes those scooters will be on the road.

As someone said earlier, if they are a pedestrian, the pedestrian guidelines say they have to face the oncoming traffic. You have the exact same issues if someone is on foot, on the scooter, except maybe on the scooter they feel a bit safer. They might, because we saw how vulnerable they are on the smaller ones. From our workshops in terms of driver training, we go over that at the end in terms of pedestrians, and a lot of people are not aware of that fact that the scooters are on the road and they are actually a pedestrian.

Mr DARREN WEBBER: Do you consider the standard footpaths are adequate, considering we are now having multiple motorised vehicles using them?

Mr GAINSFORD: No, I think the council probably would not like the fact to be told that their footpath should be wider. I just noticed the one outside Nik's shop this morning, the new one, when the scooter went down, there was no other room. So if you put that somewhere where there is no verge, then we go back to the fact there is an added cost with the footpaths. Definitely with the amount of people using the footpath, it may actually be wider.

CHAIR: Mr Gainsford, thank you very much. It has been most valuable for us. We do appreciate your contribution to today. There probably are going to be questions which we will forward to you in writing. Thank you in anticipation for the reply to those and thank you for your time today.

Mr GAINSFORD: Thank you.

(The witness withdrew)

CORAL MAY HUTCHINSON, Manager, Community and Cultural Services Nambucca Shire Council, sworn and examined:

CHAIR: Welcome to the hearing this afternoon. I draw your attention to the fact that your evidence is given under parliamentary privilege. You are protected from legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee may constitute a contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Time is always limited at these hearings and the Committee may wish to send you some additional questions in writing, the replies to which will form part of your evidence and will be made public. Will you be happy to supply a written reply to any further questions?

Ms HUTCHINSON: I would, Mr Chairman.

CHAIR: Thank you very much. Before we proceed with our questions, would you like to make a brief opening statement?

Ms HUTCHINSON: Yes, if you do not mind. I would like to thank you and the members of the Committee for the opportunity. I represent both the council's Access Advisory Committee and the council's Asset Managers today, although I am in Community and Cultural Services, as I have said. My presentation is largely going to be focused on motorised scooters, or gofers. The previous speaker mentioned the mid-north coast and its aged population. The Nambucca Shire is no exception to that. Some 25 per cent of our population is aged 65 or over. That is not to say that younger people do not use motorised scooters, but it is becoming a trend that older people will use these for mobility and independence.

I note from an inquiry last year from the Australian Consumer and Competition Commission and NRMA that many people who use motorised scooters reported they replace their legs. In our area, whilst that is true for some, for many people, the motorised scooter replaces a car when you are no longer able to drive, so it becomes a form of transport. That poses a number of problems for us. You will have heard many speakers talk about footpaths. That is something I will be talking about today and happy to answer questions on, but the Access Advisory Committee would also like to point out three areas of concern that they have. Where motorised scooters replace someone's leg and become transport, there are issues of capacity. Just recently in the main street of Macksville, there was an elderly lady on a motorised scooter and taped to the front of it was a great big sign that said, "Caution—vision impaired". I think that is a real concern for her, but also for others around her, so there are issues of capacity.

You will have heard the discussion about for the need of some sort of insurance. The Access Advisory Committee has made that recommendation in its submission, and also some recommendations in our particular case, members of the Committee were concerned about breaking mechanisms, but also, more broadly, the idea of having some ongoing maintenance or servicing or ensuring that vehicles are up to scratch when they are on the road. The Access Advisory Committee has put forward those points of view. The asset managers have ever increasing demands on them. You have heard probably no end about the demands on local government and being able to provide appropriate infrastructure for all and sundry. Nambucca is no exception in that regard either.

CHAIR: Thank you. Your submission did highlight the efforts of council in proactively promoting the safe use of motorised scooters in your local area. Can you describe the activities that you have been involved in to provide education and information about the safe use of those scooters?

Ms HUTCHINSON: Sure. Like many other committees, we have had days where we have invited people who are interested in purchasing a scooter to come along with manufacturers or suppliers and talk to them one-on-one. We have had the police and road safety officers and so on come and address people formally, but also in more informal ways. We, too, have had activities around the streets where we have had elected members and engineers and so on around having that one-on-one experience. I have brought this little example today. We have a scooter survival guide. The front page says a lot, but this is produced by Lake Macquarie Council and others around that area. We do not reinvent the wheel. We make that available to people as well. We purchase that from Lake Macquarie Print, so those are the sorts of activities that we have done.

On a more formal sense, our council has a pedestrian access management plan that it jointly funded with Roads and Maritime Services, and one of the points in the submission is that we would really like to come

on board with State Government and possibly the Federal Government, if that is possible, to look at ways of funding the infrastructure we need. It is not just footpaths, it is ramps and so on. For us, we have an extensive boardwalk along our river. We need to be able to provide that so that people with motorised scooters can use that. I do not know if you are familiar with the bridge in Macksville. It seems to be the last one of its type on the coast, but if you are using a motorised scooter on that bridge, then you cannot overtake somebody else coming the other way. You have to reverse or you are stuck, so they are the issues that local government is facing in terms of trying to improve infrastructure, but we do have a pedestrian access management plan, which identifies areas of infill and areas of improvement, which would improve our footpath network, at least around our central business districts.

CHAIR: This is a double-barrelled question: Do you keep statistics on the involvement of non-registered motorised vehicles and injury or crash incidents and whether you do or not, has council then given consideration to instigating some kind of regulation or registration system for such vehicles?

Ms HUTCHINSON: I do not know whether we have the statistics that would provide an answer to that. I can take that question on notice, if you like, and get back to you because that is outside my area of expertise.

CHAIR: We are interested because, as you correctly identified, we are visiting here because of the greater proportion of potential users in the community. We are interested in evidence to lead us to conclusions as to accident rates, data collection by authorities, and therefore views that are forthcoming as a result of those in terms of registration, as I mentioned, or some form of recognition of those leading to education awareness campaigns or whatever arises.

Ms HUTCHINSON: Sure. I would be happy to take that on notice and let you know.

Mr RYAN PARK: How well attended have the workshops been?

Ms HUTCHINSON: I must admit, it is a challenge to get people there and it does tend to be the kind of activity where you preach to the converted or where somebody gets goaded into going like, "Come on, Pop, you really need to go to this because if you are going to get a scooter you need to work out what you need and you have to learn about them." We have been fortunate, reasonably well attended, but I do not necessarily think that is the be all and end all either. It is nice to do thing but I do not know that is necessarily the answer. Getting people to a central point is fraught with its own difficulties.

Mr RYAN PARK: Is an alternative way, thinking outside the square—heaven forbid a train the trainer model—we have been to a number of aged care places today and you would think that perhaps a model, and I do not know whether you have tried it or what your feelings are, whereby a facilitator or someone was able to conduct that sort of training, dare I say it, on-site, where you have a captive audience of people there, may be better. Do you have an opinion on that?

Ms HUTCHINSON: I think that would work because you can target that. The other thing I have seen work as well is an outlet called Mobility Scooters in Coffs Harbour—I think that is still their name—went to the trouble of providing a package themselves. When they provided the scooter—this is purchased new, so it only covers that kind of client—they had a range of publications that work through some of those issues. That is also a way that works very well. From what I saw from our involvement with that particular organisation, people are very open because they were looking at purchasing a mobility scooter, they were open to the concept of what may work best for them—how their battery operates, not to get stranded and also about their safety more generally. That has worked as well, I think.

Mr RYAN PARK: Is this type of publication distributed to local retailers?

Ms HUTCHINSON: That one is, yes, although we do not have any in our area. They would be either here in Port Macquarie or in Coffs Harbour.

Mr JOHN WILLIAMS: Thanks for the opportunity to ask a question. How many communities does the Nambucca Shire Council represent?

Ms HUTCHINSON: We have three main towns—Macksville, Nambucca Heads and Bowraville—and then two smaller coastal towns that are growing, that is Valla Beach and Scotts Head. But Nambucca Heads

would be our largest population of older people. It is also very hilly and poses its own problems with people using motorised scooters around the town itself. Macksville is much more conducive to walking, it is a lot flatter. Bowraville is a small community and does not have a lot of older people. It is mainly Nambucca Heads and Macksville. So there are five main communities that I would be representing today.

Mr JOHN WILLIAMS: How does the Nambucca shire see the provision of adequate footpaths as a priority to accommodate these vehicles?

Ms HUTCHINSON: For a number of years our council has had a policy of not building new footpaths, no new footpaths. The priority has been replacing old footpaths or repairing them. Also it has an inspection system and so on, grading. Recently there has been a lot of grinding of footpaths to improve continuous paths of travel to try to get the best out of the footpath network that we have. Having said that, it recognises the demand is there and has allocated for the next five years \$85,000 a year—not a lot of money but also we do not have a big budget. Hopefully that will increase to just over \$200,000 a year to build and replace the footpath network we have.

Quite clearly, that is not going to go very far. We only have 38 kilometres of footpath, which might not be much, but that is also a lot for a small community to try to manage. But the council is trying to be proactive in recognising this particular issue. We have had an access committee for some 20 years and this has been on its agenda for pretty much that whole time. I have been there working with them over that 20 years. So, it is certainly something it is highly aware of and hence its submission and the desire to formally endorse a submission to you.

Mr JOHN WILLIAMS: I guess part of the role of the access committee is to ensure that the users of mobility scooters are able to use them to provide the best benefits; that is, to go to a shopping centre or carry out some normal things that they would in a motor vehicle for their daily duties? Do you think that has been satisfied for those users?

Ms HUTCHINSON: I think there is a really big need out there for us to improve footpaths. Where Macksville is, on the main Pacific Highway, it is only a 50 kilometre an hour speed zone through Macksville, but is 60 kilometres an hour through Nambucca Heads and Bellwood. There is the potential there for frequent conflict between, I think it is something like 11,000 vehicle movements a day, and 20 per cent of those are heavy vehicles—that is B-doubles and the like. So, we need to ensure that we get people using those motorised scooters off the roadways and onto footpaths. If we can help to implement those priorities in the pedestrian access and mobility plan, that will go a long way, at least in the central business areas of Macksville, Bowraville and Nambucca Heads, not so much the other towns.

Mr JOHN WILLIAMS: The other thing that I think is a challenge to local governments, and I do not know whether it is in this area, but they are at the forefront of dealing with these issues, have you been able to develop a register of users of mobility scooters?

Ms HUTCHINSON: I have to say that is extremely difficult because even when we have held the workshops, when you talk to aged services and others, they are not able to tell you who they think own scooters for privacy, so it is very difficult to get that information. No, we have not tried to tackle that.

Mr JOHN WILLIAMS: Could that be treated by running a survey on footpaths?

Ms HUTCHINSON: Possibly. We have just had a customer survey, but possibly, I am not sure.

Mr DARREN WEBBER: Has your council investigated the potential liability on council, given the heavy trucks going through on the roads or a motorised vehicle being on the same road?

Ms HUTCHINSON: I must say that we are fortunate—except for Macksville Bridge, which I have spoken about—most of the main streets in Macksville and Nambucca Heads have at least one side of footpath, not both. There have been some efforts there to try to ensure that is a priority area. Again the pedestrian access and mobility plan tackles that as well. I would say yes, they have attempted that.

Mr DARREN WEBBER: Some of the submissions we have received go one step further and advocate a ban on non-registered vehicles from public open spaces, including footpaths. Is that something you think your council would explore? Do you have an opinion on that?

Ms HUTCHINSON: I think it would be extremely unpopular. It is possibly tempting because of the conflict and it may be an issue in some areas. We have shopping centres. We have some vehicles potentially doing 10 kilometres an hour in conflict with lots and lots of crowds. That could be an issue. I do not know that that is an issue for us. It is a small population. Nambucca Heads is only some 7,000 people, much smaller than, say, Port Macquarie, so I do not think that is going to be an issue. I think it can be managed.

Mr DARREN WEBBER: You made mention of a pedestrian access plan. Is that the terminology recommended?

Ms HUTCHINSON: It is a pedestrian access and mobility plan or PAMP. That looked at the footpath networks in those three main towns, specifically around the central business areas or shopping areas, and identified areas where we would need to widen the footpath or infill footpaths so that someone in a motorised scooter, or even prams and strollers, and so on, could have a continuous path of travel around the shopping centres. There are some gaps in that network which certainly could be improved. It is probably not a lot of money but it all stacks up. Yes, it is a pedestrian access and mobility plan that was jointly funded by Roads and Maritime Services and council.

Mr DARREN WEBBER: So you are looking at widening existing footpaths?

Ms HUTCHINSON: Some of them, yes.

Mr STUART AYRES: Thank you for appearing today. Your submission about third-party insurance cover, was there any substantive research or consultation with your access committee that brought that up? I would like to get a reason why that made its way into your submission.

Ms HUTCHINSON: The access committee members were the main drivers of that. Two particular members, longstanding members I must say, used a motorised scooter for some time. Both have their own insurance because they are aware of the possible implications should something happen to them or someone else and they were not covered. Beyond that, and their experience in a committee that has been doing this kind of work the 20 years, no, but based on their experience. That is why it has come forward into the submission.

Mr STUART AYRES: How long have you been doing this job?

Ms HUTCHINSON: I have been in my role 22 years.

Mr STUART AYRES: What is your view on it? You are a voice of experience here. Do you think it is something that we should be considering?

Ms HUTCHINSON: I think in order for people to be protected, and previous speakers have talked about the vulnerability of someone who needs a range of skills to use a motorised scooter, if you cannot drive a car perhaps you do not have the skill to drive a motorised scooter. You are extremely vulnerable. You could be doing 10 kilometres an hour downhill in Nambucca Heads. You are classed as a pedestrian but a pedestrian needs to be running fairly flat out to be doing that kind of speed. So, you are extremely vulnerable. I think those people need protection. The other thing, too, is having some kind of insurance, whether or not there is a small fee attached—and possibly that is a way of putting a value on it—it does recognise the danger and need for some kind of third-party protection, whether it is personal and/or property. I believe we need something and I believe we need a capacity test as well. The lady in Macksville is a real concern for me. She is vision impaired. I am not wanting to take people's mobility away, I think that is really important. My presentation is not about that. I am not going to debate that. But it is about people being safe themselves but also others around them as well being safe.

The Hon. RICK COLLESS: Have you any idea how many of these mobility scooters are in Nambucca itself?

Ms HUTCHINSON: No. I wish I could tell you. There is no real way of knowing. Even though you could get statistics from the suppliers themselves, in our area a lot of people rely on the pension so there is a fairly big market in second-hand scooters as well. So even if you could get the numbers of new scooters purchased, it would only be an indication. I cannot tell you, I am sorry.

The Hon. RICK COLLESS: Obviously there are number and you do see them around the town?

Ms HUTCHINSON: Absolutely, and growing.

The Hon. RICK COLLESS: I take on board your comments about the terrain in Nambucca Heads. Are their issues surrounding the performance of those machines heading up and down some of those hills?

Ms HUTCHINSON: I have not had personal experience. From hearing from people who use scooters themselves, yes. But you need to invest in a more higher powered machine, depending where you are. The main area of Nambucca Heads is quite steep. If you are in Bellwood area, which is the area of Nambucca Heads along the river, if people know the highway north, it is really quite flat. That is not so bad, but the main area of town where the old highway still goes is really quite steep. So, yes, it poses a problem for them. It requires a more higher powered vehicle but also a bigger investment financially to purchase that.

The Hon. RICK COLLESS: One of the previous presenters today raised that issue of having more powerful machines, probably governed so they do not go any faster but have more power to go up the hills. What is Nambucca council's view on that as a way of regulation of the industry?

Ms HUTCHINSON: I really do not know. I have not posed that question to them. I would have to ask, I would say. I do not know whether they would have a specific view, collectively. There might be nine different views at our council.

The Hon. RICK COLLESS: You commented about better braking mechanisms. We had a look at a couple of different machines this morning. I notice the top-of-the-line models had brake handles on them but the proprietor of the business there, Nik, who is here with us today, told us they were parking brakes rather than actual braking mechanisms. Do you see the electronic braking mechanisms that those machines have are inadequate and they should have more substantial braking systems?

Ms HUTCHINSON: I can only comment from the point of view of people who use the scooters themselves and who have said—this has come up via the access committee—that the braking mechanism currently is not effective enough. It might be all right for hands off but it still requires some distance for that vehicle to stop. I do not have a technical background but quite clearly there is a balance between stopping too quickly and disrupting the person in the machine, but also if you are in a crowded area, in a shopping centre, doing 10 kilometres an hour and the hands off eventually stops you, the access committee's view is that that is posing a problem and a potential collision. So, perhaps it needs to be looked at. I think there is something in that from what I am hearing from the users themselves.

The Hon. RICK COLLESS: I think all of the members of the Committee took on board your comments about capacity assessment of the users of these machines. You also raised in your submission the need for these vehicles to have some sort of insurance along the lines of compulsory third party?

Ms HUTCHINSON: Yes.

The Hon. RICK COLLESS: How do you think that should be structured? Have you given any thought as to how that should operate?

Ms HUTCHINSON: The access committee has not discussed it in any great detail, but raised it because it was felt to be an issue. However, there was a particular view that if there was any kind of registration or insurance premium, local government might like to get a cut of that. Although I did point out that it might only be fairly small fees—a small cut. Beyond that, no. That would be something for the industry to sort out, but it was felt that it was needed.

CHAIR: As part of a stretch of very popular holiday destinations and apart from being a lovely place to live—moving away from motorised mobility scooters into recreational vehicles—do you find problems with trail bikes or the all-terrain vehicles, quad bikes, on public road-related areas?

Ms HUTCHINSON: The previous speaker mentioned this. Nambucca too is a rural area with quite a large rural hinterland. Certainly there are regular reports of trail bikes on roads and also quad bike accidents. I do not have any real data to support those concerns, but certainly they are out there. I only hear about that being in council and having been there for a long time. I do not actually have any statistics that would support that.

Beyond that, I do not think we are seeing the growth in other devices just yet. I think there are a number of people using motorised wheelchairs and they require those for their mobility, but also their health needs and so on. This submission is primarily around the wheeled recreational vehicles, if you like, which also is about mobility and independence. But we are not seeing the segways; the occasional motorised bicycle and that kind of thing, but not like other areas. Not yet.

CHAIR: Thank you for appearing before the Committee today. We found it valuable. Thank you for travelling. We thank everybody who has travelled today.

Ms HUTCHINSON: Thank you Mr Chairman.

CHAIR: We will send you any further questions in writing, if any.

(The witness withdrew)

(The Committee adjourned at 3.43 p.m.)