

## Chambers Ireland Submission on Powered Personal Transporters (PPT)

Chambers Ireland is a business representative organisation, our members are the chambers of commerce in the cities and towns throughout the country. Each of our member chambers is central to their local business community and all seek to promote thriving local economies that can support sustainable cities and communities.

### The legal Status of PPTs

On the question of whether PPTs ought to be permitted in Ireland, each of our member chambers which represented to us regarding the use of PPT were supportive of their status being regularised. The consensus view was that it is unfortunate that the regularisation of PPT has been delayed for as long as it has been.

Climate change is the most significant challenge that we face, and densification/urbanisation is a fundamental element of both our [Climate Action](#)<sup>1</sup> and our [National Development](#)<sup>2</sup> Plans. [Electrifying out transport system](#)<sup>3</sup>, coupled with the [transition to a decarbonised electricity supply](#)<sup>4</sup>, is critical to reducing the damage we are causing to our environment, and [PPTs are essential](#)<sup>5</sup>.

For urbanisation to be successful we need to have efficient, reliable, and safe transport in our urban areas, PPTs will be part of this.

They are an energy efficient means of urban transportation, it is far more efficient to move an 8kg board or scooter 10km per day than it is to move the equivalent distance in a 1500kg car, even if it is an electric car.

---

<sup>1</sup> <https://www.dccae.gov.ie/documents/Climate%20Action%20Plan%202019.pdf>

<sup>2</sup> <https://www.gov.ie/pdf/1067/?page=1>

<sup>3</sup> <https://www.seai.ie/data-and-insights/seai-statistics/key-statistics/transport/>

<sup>4</sup> <https://www.seai.ie/publications/Energy-in-Ireland-2018.pdf>

<sup>5</sup> [https://easac.eu/fileadmin/PDF\\_s/reports\\_statements/Decarbonisation\\_of\\_Transport/EASAC\\_Decarbonisation\\_of\\_Transport\\_FINAL\\_March\\_2019.pdf](https://easac.eu/fileadmin/PDF_s/reports_statements/Decarbonisation_of_Transport/EASAC_Decarbonisation_of_Transport_FINAL_March_2019.pdf)

Furthermore, PPTs have an extremely small road footprint which reduces the demands on our road networks, and so will help to reduce congestion. [Departmental models](#)<sup>6</sup> indicate that traffic congestion for those in personal vehicles will cost Dublin city hundreds of million each year in wasted time alone - ignoring the fuel and carbon costs.

Amplifying the benefit of PPTs is the OECD's report on [Shared Mobility Simulations for Dublin](#)<sup>7</sup>. While these are for a different technology, all the gains from their models derive from the reduction in congestion. PPTs are an ideal mode of transit for many people, reducing congestion on the roads while also taking pressure off our under-resourced public transport networks.

The regularisation of PPTs in law is not only coherent with our Climate Action Plan, it also supports our National Development Plan and our member chambers would greatly welcome movement on this pressing issue.

Some chambers feel that their introduction should be complemented with additional investment in road infrastructure and cycle ways, but that the introduction of a legal scheme which facilitates the public use of PPTs should not be made contingent on such a legal scheme, rather than the regularisation of PPTs would trigger additional improvements to our roads to ensure safe travel.

## **Prohibited Vehicles**

The area of electric vehicles is at the forefront of transport technological innovation and as we are now reviewing their regulation, we should ensure that our new legal framework is both fit for purpose and future proofed. The new scheme should try to consider PPTs as a broad class of vehicles so that it might encompass novel vehicles which have not yet been released on the market.

If we were to take the path of being overly descriptive, the risk is that we could have companies or individuals developing vehicles which are within the letter of the regulation, if not their spirit e.g. if, as [some have suggested](#)<sup>8</sup>, we were to consider defining PPTs as being vehicles with a certain number of wheels, or wheels of a certain diameter, then there is the possibility that someone could alter the size or number of wheels simply to adhere to, or evade regulations. Similarly, such a definition could exclude vehicles like Segways, and monowheels, which ought to be considered in combination with e-scooters.

---

<sup>6</sup> <https://assets.gov.ie/13615/110debccab3346aa9a6f871f0ae660d9.pdf>

<sup>7</sup> <https://www.itf-oecd.org/sites/default/files/docs/shared-mobility-simulations-dublin.pdf>

<sup>8</sup> <https://data.oireachtas.ie/ie/oireachtas/bill/2019/72/eng/initiated/b7219d.pdf>

A further concern that we have is that if we are not careful in our definition of what a PPT is, then we risk over-regulating the e-bikes which already exist on the road.

We therefore argue that the department should define PPTs as vehicles which broadly fit the parameters of e-bikes, and deal with vehicles which are outside such parameters in an appropriate way.

Regarding the vehicles that should be considered as PPTs; a balance should be considered between underpowered vehicles, ones which are essentially toys, and those that are so overpowered that they pose a deceleration risk for the rider. Within the range of these limits all PPTs should be permitted.

We should firstly consider how the application of motors to bicycles has been integrated, [at the EU level](#)<sup>9</sup>, into the [Machinery Directive \(2006/42/EC\)](#)<sup>10</sup> through the EN 15194:2017 instrument; within that both a power limit, and a speed limit were applied to these vehicles. Our view is that PPTs ought to be limited in the same manner e-bikes are limited. Consequently, should a vehicle not qualify as a PPT then it ought to be regarded as different type of vehicle, and as a result of that status then that vehicle could be either prohibited from the road, or more tightly regulated.

At the lower end, the model we could look at would be akin to the powered mobility scooters. These vehicles are permitted to be used on footpaths, but the Class 2 variety are restricted to maximum speeds of 6km/h. Should a vehicle not be capable of exceeding such a limit then it should not be considered a PPT. This would allow the variety of toys which are available to children to maintain a continued legality and would also restrict their use from the roadways.

At the upper end, we suggest looking towards cycling. Whereas cycling has an effective upper speed limit of about 25km/h (there are few cyclists who can exceed that speed), and given that under EN 15194:2017 e-bikes are already restricted from use above a speed of 25 km/h, then the department should take the view that vehicles which cannot exceed that speed should be considered PPTs.

We are conscious that as there is so much ongoing innovation in the area, then it is likely that new forms of transportation will rapidly become available to people. Therefore, a review of the regulations pertaining to all electric vehicles should also consider vehicles which can exceed 30km. Our view is that such vehicles should not be classifiable as PPTs and should be treated as equivalent to mopeds, and require an AM licence, insurance, registration, etc.

---

<sup>9</sup> [https://ec.europa.eu/energy/intelligent/projects/sites/iee-projects/files/projects/documents/presto\\_fact\\_sheet\\_legislation\\_en.pdf](https://ec.europa.eu/energy/intelligent/projects/sites/iee-projects/files/projects/documents/presto_fact_sheet_legislation_en.pdf)

<sup>10</sup> <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:157:0024:0086:EN:PDF>

By defining the PPT classification around the potential speed of the vehicle we also allow for legal remedy where an individual has modified their vehicle to exceed the legal limits placed on PPTs. It is foreseeable that people may modify the software, or motors on their PPT to allow it to exceed the legal maximum applied to that class of vehicles. Therefore, if we build the PPT model around this maximum speed limit, those that exceed it will fit within the legal architecture of the Road Traffic Act, without having to construct new offences to accommodate them.

### **Registration Plates and Markings**

As a rule, PPTs should not be required to have Registration Plates or Markings, as per our definition of a PPT as an electric vehicle that cannot exceed 30km/h. Should an electric vehicle be capable of exceeding that speed it should be classed as a motorised vehicle, though clearly a motorised vehicle which is of a lower power category than a 125cc vehicle, if that is appropriate.

### **Age Restrictions**

Again, we believe that it is appropriate to treat PPTs in the same way as we treat bicycles (up to a defined maximum power/speed) and beyond such a point treat that vehicle as a motorised vehicle. Therefore, for lower powered vehicles there should not be an age limit and for vehicles capable of faster speeds, they should require the appropriate age restrictions, registration, licencing, and mandatory insurance.

### **Insurance Cover**

Potentially some electric vehicles should require insurance; in particular those which are capable of higher speeds should be treated as motorised vehicles, and so should be required to have plates, insurance, licences, and perhaps mandatory safety equipment.

However, those which are capable of travelling only as fast as someone on a bicycle can travel should be limited only in the same ways as a person who cycles is limited on the road.

Mandatory insurance for PPTs is rarely a requirement in the EU. In June 2019 Belgium reversed their mandatory insurance requirements for personal vehicles (though it is mandatory that PPT sharing schemes insure the users of their services). Many insurance

companies already provide insurance for cyclists, and in countries where PPTs have been regularised, we see that the insurance industry provides products even where they are not mandatory. In the Belgian example we see that whole family PPT insurance for a year (with an unlimited number of children) retails at less than €100.

### **Road and Path Access**

In general, we hold that road suitable motorised vehicles ought not to use the footpath, and those that can use the footpaths should not use the roads, which is coherent with the general definitions of a PPT that we use throughout this document.

The main problem that we foresee with using PPTs on footpaths in Ireland is that generally they are too narrow to be used safely in combination with pedestrians. Besides that, we should look again towards cycling, and where cycling is permitted, then so too should PPTs be permitted.

Therefore, PPTs ought to be able to use cycle lanes, bus lanes, and normal traffic lanes; though without an obligation to use any one over the others – given the quality of our cycle lanes, it is often safer to use the road rather than a cycle lane, and in instances where an individual must cross lanes (particularly to take a right hand turn) it is often safer to be in a normal traffic lane to avoid unnecessary conflict with other road users.

### **Maximum Speeds**

Our concern with maximum speeds is that in a short period of time there are likely to be novel vehicles with stronger motors using fuels like Compressed Natural Gas or Hydrogen which will not fit into the standardised motorised vehicle description that we are currently using. Therefore, we argue that if a vehicle is capable of travelling at speeds over 30km/h it should be considered as akin to a motorised vehicle such as a moped (or motorbike if a vehicle is sufficiently powerful to warrant that designation).

### **Protective Gear:**

If there are any requirements they should be driven by scientific evidence and not anecdote. The Road Safety Authority has a bad habit of recommending that cyclists use

helmets and high-visibility clothing in spite of the [vast amount of evidence](#)<sup>11</sup> that not only are these clothes not helpful at the individual level, they also have unintended consequences such as [increasing the incidence of close passes through decreasing the average space an overtaking vehicle gives the cyclist](#)<sup>12</sup>.

[Risk compensation has an effect on all road users](#)<sup>13</sup>. As we fill cars with more and more safety technology, we often see a commensurate increase in risky behaviour which can increase the frequency of accidents; even where they are more survivable when they occur, they can still induce a disproportionate increase in injury.

Further, making protection equipment mandatory has been shown to [discourage the safest users](#)<sup>14</sup>, in the cycling community. Amplifying this, low rates of road utility by cyclists tend to increase the average risk of injury/accident as the drivers on the road are encountering them less frequently. Mandatory helmets in New South Wales have seen reductions in the numbers of cyclists. It would be unfortunate to risk repeating public policy mistakes without learning from our peers.

In the absence of peer-reviewed public health data which highlights an issue specific to PPTs we should resist the urge to regulate for regulations sake.

## **Prior Training**

Again, our view is that we should treat PPTs as bicycles up to a defined power, and beyond that to treat them as a motorised vehicle. Therefore, for lower powered vehicles, there should not be an age limit, and for ones capable of faster speed, there should.

## **Local Authority Regulation**

In principle PPTs should be allowed for use on all roads, unless a Local Authority could justify prohibiting them from use, or restricting their use, in a particular area. For example, a local authority should be able to choose to temporarily restrict the use of PPTs in a location where safety concerns emerge, either to PPT users, other road users, or perhaps to pedestrians (say in the environs of a port where there is a disproportionate number of Heavy Goods Vehicles, and certain junctions prove to be unsafe, or where there are ongoing road works).

---

<sup>11</sup> <https://www.bmj.com/content/346/bmj.f3817.full?ijkey=15vHBog6FhaaLzX&keytype=ref>

<sup>12</sup> <https://www.sciencedirect.com/science/article/abs/pii/S0001457506001540>

<sup>13</sup> <https://injuryprevention.bmj.com/content/6/2/82>

<sup>14</sup> <https://www.sciencedirect.com/science/article/abs/pii/S1369847812000587>

Similarly, it may become necessary to restrict the use of PPTs in certain locations, such as individual piers in order to limit potential liabilities for the Local Authority. Or, in other situations, the Local Authority, or the Office of Public Works, may want to take the view that parts of their parks which currently prohibit cycling may also want to restrict the use of PPTs.

The default however is that PPTs ought to be permitted, unless they are forbidden in a specific place for whatever reason, just as we do not permit cycling under specific circumstances.

Where there is a stronger role for local authorities to play is in the area of shared use schemes. Shared use schemes expand the reach of PPTs very quickly, but it is also known that e-scooters which have been abandoned on the street can cause nuisance, and even safety hazards, for other footpath and road users.

Therefore, Local Authorities should be permitted, if they wish, to licence those who would introduce a shared usage scheme in their functional area, or alternatively to offer PPT sharing services themselves, or in partnership with others, if that is a policy the Local Authority chooses to pursue. Within that, Local Authorities should be allowed to regulate whatever matters seem to be appropriate for their locale. This may involve mandatory insurance, drop off hubs, speed restrictions in certain areas, or any other appropriate measures in their area.

As our cities and towns often expand beyond the limits of individual Local Authority areas, Local Authorities ought to co-ordinate closely with each other to ensure that such schemes can cross the borders of one Local Authority to another.