

## **Submission from John Halford: - The need for regulation of mobility scooters, also known as motorised wheelchairs**

Committee Secretary  
Senate Standing Committees on Rural and Regional Affairs and Transport  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Dear Committee Secretary,

I live on Phillip Island in Victoria and grew up in country Western Victoria. An enduring lesson I remember from the first few weeks of Secondary School was when two local policemen conducted a session with each of the new classes [10-11 year old's] on the subject of road rules, questions and discussion along the lines of:- *'you are now all going to school at a different location and you are becoming more independent, what are the road rules you need reminding about – what questions do you have?'*

Eg.  
Cyclists must obey road rules including to only travel on the left side of the road.

Cyclists riding along a road ride no more than two abreast.

If you are walking, even if you are with a group of your friends on bikes, Pedestrians walking along roadways should be on a footpath, or if there is no footpath **YOU MUST WALK ON THE [RIGHT] SIDE OF THE ROAD FACING THE ONCOMING TAFFIC...** and more. So much for my schooling of 60 years ago – [included for reference to pedestrian road rules].

As I mentioned above I now live on Phillip Island, some general comments. Cowes is a long-established township as well as being a significant holiday destination.

I live in Teddy Bear Lane Cowes, it is a gravel road [try google street-view]. Many other rural townships are in this situation of having many older roadways where there is no footpath. Indeed, what verge or nature strip there is may well be either unkept, rough or in other circumstances a significant extension from the household garden out to what passes as a gutter. Whatever the situation it is often unfit to walk on, let alone try to drive a mobility Scooter along [or wheel a pram or pusher]. Even some bitumen roads are not well maintained, have broken edges. The only option is to to walk, drive or push a pusher along what is made as a roadway. Often the only suitable location on that roadway is to travel closer to the middle of the roadway than at one side. A rural area problem far more prevalent than those in city ivory castles realise.

Those areas of more recent urban development where new roadways are made to a set of 'standards' with kerbing and storm water drains seem to have often totally ignored footpaths [we all know how often 'standards' are total rubbish ignoring the

reality of modern living requirements.] What few footpaths there are may not be suitable for motorised scooters.

Because of a lack of regular public transport, a number of older folk who give up their motor car, purchase such a mobility scooter because of the distance they need to travel around town to shop or socialise. They all have a current or expired drivers licence and think that motor car road rules are all they need to know.

A classic case in Cowes is where there is an aged care facility 'Grossard Court' – they have a purpose-built garage with power points where a number of residents store their mobility scooters that they often use to travel downtown as they are able. From that facility the well-made roadway has no footpath, residents will drive down the road to get to town. The huge problem is not only that as there is no suitable footpath; they have received no training on Mobility Scooter Road Rules – by law they are pedestrians, but they think they are small cars and travel on the left, not the right-hand side of the road facing the oncoming traffic. I have located a VicRoads publication [Guide to choosing a motorised mobility device](#) see also <https://www.vicroads.vic.gov.au/searchresultpage?q=mobility%20scooters> [included for other references to their information on Mobility Scooters].

Also see <https://www.vicroads.vic.gov.au/searchresultpage?q=pedestrians-and-sharing-the-road> and <https://www.vicroads.vic.gov.au/safety-and-road-rules/road-rules/a-to-z-of-road-rules/pedestrians>

This last link includes:-

*“Under the road rules pedestrians are people:*

- *on foot*
- *on [wheeled devices](#) such as skateboards, rollerblades, wheelchairs and **motorised mobility devices***
- *pushing a bicycle.*

and

*Pedestrians must: .....[various other dot points then]*

*If you need to walk along a road and there is no footpath or nature strip, or if there is but you can't then, you may need to walk on the road. If so, you must walk on the other side of the road facing oncoming traffic.”* [as I was taught 60 years ago]. I believe other states will have similar road rules for pedestrians.

I even visited a shop in Cowes selling Mobility Scooters, it seemed to be news to the proprietor that such a publication existed and even he was not aware of these significant road rules. [I left him several copies of the booklet]

With respect to our being a holiday destination with a high percentage of holiday houses that are used by folk who normally live in large cities with made footpaths – virtually none of the roadways that lead to the beaches at Cowes have footpaths, families walk from their accommodation to the beach with not even a basic

understanding about road rules for pedestrians and which side of the roadway they should walk on [usually they chose the left!] I realise this is not specifically looking at mobility scooters but is symptomatic of a significant long-term lack of education or understanding on 'What is a Pedestrian?' and "What are the Road Rules for them?". In other words education **MUST** start decades before considering the purchase of a mobility scooter. [If you have time check out road rules at roundabouts where – **Pedestrians MUST give way to motorists!**]

As an aside; - Should more be made of pedestrians killed because they were disobeying road rules? I am sorry for their loss, but for motorists we often know 'alcohol or speed was a contributing factor!', why not 'breaking the road rules walking along a roadway with their back to the traffic was a contributing factor!' These 'former pedestrians' include some driving mobility scooters. I have known a such victim, probably ignorance of road rules contributed to her incident [thankfully not a fatality.]

**My submission points therefore are: -**

1. Education has failed in teaching even parents with young children that they have road rules to obey [walk on the Right-Hand Side of the road and Pedestrians give way to cars at roundabouts]. What are we teaching the next generation? [this enquiry is barely scratching the surface of a large problem that starts long before any need for mobility scooters].
2. Standard road signs pointing out what are the road rules for pedestrians should be urgently erected at many suitable locations, including more suitable signs at roundabouts so that in all cases not only the pedestrians know what they should do, but also that the motorists understand what to expect from pedestrians [currently confusion reigns, either everyone or no-one gives way; a recipe for a collision – a basic first step for education].
3. Those selling Mobility Scooters are failing in their duty of care and must be held responsible for ensuring that those people making purchases fully understand the significant differences in road rules when using mobility devices. Other training should be rolled out for existing mobility scooter owners. [will cover other education issues raised by this committee process].
4. Those enforcing the so-called standards of road design should use a lot more common sense in ensuring that suitable footpaths are provided for the growing number of folk using mobility devices [as well as parents escorting young children to beaches], if necessary suitable footpaths must be retrofitted. [It should be a mandatory standard for nearly every made urban road to have at least one footpath of a mobility scooter standard.]

John Halford

13 January 2018