



A guide for councils and providers interested in participating in the NSW E-scooter Shared Scheme Trial

Working together with local councils, e-scooter shared scheme providers, and Transport for NSW (Transport), we have an opportunity to trial a new way of getting around our metropolitan and regional communities in NSW.

This guide sets out Transport's requirements and recommendations to councils and providers interested in participating in the trial.

This guide has been developed to help councils determine the suitability of proposed trial location(s) in their community and nominate e-scooter shared scheme provider(s) before making a submission to Transport to be considered for the trial.

The guide is recommended to be used in:

- Investigations of potential trial locations
- Investigating local community interest
- Conversations with potential service providers
- Preparing Request to Participate submission documentation.

Transport requires councils and their nominated provider(s) to respond to the requirements listed in this guide in their Request to Participate submission to be considered for the trial.

This guide should be read in conjunction with the E-scooters Shared Scheme Proposed Trial Parameters (and E-Scooter Trial regulations, when made).

1. Trial locations

- a. Transport requires council(s) and their nominated provider(s) to put forward trial locations that support safe and connected movement on roads and paths, consistent with the proposed trial parameters. At selected trial locations, escooters users can only travel on:
 - i. bicycle paths
 - ii. shared paths
 - iii. roads (including bicycle lanes) on which the speed-limit is up to 50 kilometres per hour. (an e-scooter will be prohibited from travelling in a bicycle lane if the road has a speed limit of greater than 50 kilometres per hour).
- b. Transport requires council(s) and their nominated provider(s) to outline how they will clearly mark trial locations for customers and the community. This includes signage important information and safety messaging to riders and the public.
- c. Transport recommends council(s) and their nominated provider(s) put forward trial locations that safely integrate into and support the existing network and do not impact key public transport corridors or high traffic roads.
- d. Transport recommends council(s) and their nominated provider(s) consider designated scooter parking, that is safely integrated with the existing environment and appropriate to the surrounding amenity (eg – limit obstruction and clutter on pathways and public spaces).
- e. Transport recommends that roads and bicycle/shared paths with steep gradients may not be appropriate for inclusion in the trial.
- f. Transport requires council(s) and their nominated provider(s) to engage a practicing professional registered on the Transport's [Register of Road Safety Auditors](#) to conduct Road Safety Audits on all bicycle paths/lanes, shared paths, and roads that are part of a proposed trial location. Road Safety Audits must be in line with NSW Centre for Road Safety Guidelines for Road Safety. Audit Practices and Austroads Guide to Road Safety: Part 6 Road Safety Audit. Completed audits should be submitted to Transport along with responses and mitigation measures that remove or reduce the highlighted road safety risk so far as is reasonably practicable. Transport recommends that a Transport representative is included as part of any Road Safety Audit as an observer.

2. Customer journeys and network connectivity

- a. Transport recommends council(s) and their nominated provider(s) consider how e-scooter shared schemes could facilitate end-to-end journeys to local centres/services, neighbourhoods or strategic centres (eg – employment hubs, hospitals, universities/TAFEs).
- b. Transport recommends that council(s) and their nominated provider(s) consider how e-scooter shared schemes could facilitate 'first and last' kilometre journeys to and from transport interchanges or where there are current transport service gaps.

- c. Transport recommends council(s) and their nominated provider(s) consider how e-scooter shared schemes could facilitate recreational journeys to/in areas of cultural and social significance.

3. Community needs / interests

- a. Transport recommends council(s) and their nominated provider(s) consider existing community needs / interests for increased sustainable transport options and interests in smart technology and the share economy

4. E-scooter and safety equipment specifications

- a. Transport requires council(s) to nominate provider(s) who will provide e-scooters that meet the definition of an e-scooter in the proposed trial parameters.
- b. Transport requires council(s) to nominate provider(s) who will provide a description of the types of e-scooters to be used in each trial location.
- c. Transport recommends that council(s) nominate provider(s) who have e-scooters that comply with the following weight and dimensions: not more than 1,250 millimetres in length by 700 millimetres in width by 1,350 millimetres in height and, when the device is not carrying a person or other load, 25 kilograms in weight.

If council(s) and their nominated provider(s) propose to provide an e-scooter that does not meet these requirements, information provided about the e-scooter will be considered in the context of use in the trial location.

- d. Transport requires council(s) to nominate provider(s) who can ensure that each e-scooter in their fleet includes:
 - i. Bells, horns or other similar warning devices
 - ii. Functional kick stands
 - iii. Speedometer
 - iv. White front light and red rear lights and a red rear reflector.
- e. Transport requires to council(s) nominate providers who can ensure e-scooters cannot exceed maximum speed limit of 20 kilometres per hour as set out in the proposed trial parameters. During the trial maximum speed limits are as follows:
 - i. 20 kilometres per hour on bicycle paths/lanes and roads.
 - ii. 10 kilometres per hour on shared paths.
- f. Transport requires council(s) to nominate provider(s) who can ensure all e-scooters are equipped with approved helmets, as riders must wear an approved bicycle helmet.
- g. Transport recommends council(s) nominate provider(s) who have a system to ensure helmets are available for all users and have measures in place to ensure they are not lost (eg – helmet locks).

- h. Transport requires council(s) to nominate provider(s) who can ensure their fleet in the public domain is clearly identifiable for customers, the community, and the NSW Police.
- i. Transport recommends council(s) nominate provider(s) who can ensure that each e-scooter in their fleet displays a unique identification number that is clearly visible from at least 5 metres away from and that is fixed to the e-scooter.
- j. Transport recommends council(s) nominate provider(s) who can ensure that each e-scooter in their fleet displays contact information for the provider including a phone number.
- k. Transport recommends council(s) nominate provider(s) who can ensure that each e-scooter in their fleet is fitted with GPS tracking.
- l. Transport recommends council(s) nominate provider(s) who can ensure that their e-scooters do not contain any third-party advertising.
- m. Transport requires council(s) to nominate provider(s) who will ensure e-scooters are locked from starting a new trip between the hours of 12am to 5am, unless the trial has been approved to operate at these times by Transport.

5. Insurances

This section of the Guide sets out the minimum insurance requirements that providers must hold. Council(s) should consider what insurance they require and confirm any additional requirements with providers prior to considering any proposals.

- a. Transport requires council(s) nominate provider(s) who have insurance to protect the public, riders and council in the event of serious injury, death, or property damage that results from the use of its e-scooters.
- b. Transport requires council(s) to nominate provider(s) who hold a current public liability insurance policy with coverage for injury or damage to third parties as a result of an occurrence in connection with the business of the provider or that may result from use of its e-scooters.
- c. Transport requires council(s) to ensure the public liability policy extends to cover each of the council(s) in respect to claims for personal injury or property damage arising out of the negligence of the provider(s). Council's interests should be noted on the insurance policy and Council should consider whether it requires a provider to name council on that policy.
- d. Transport requires the sum insured on the public liability policy to be no less than \$20,000,000.
- e. Transport requires council(s) to nominate provider(s) who have appropriate third-party rider liability insurance to cover for injury and property damage for third party claims against a rider. Third party claims include claims by pedestrians, other road users and property owners.

- f. Transport requires council(s) to nominate provider(s) who have appropriate personal accident insurance to cover injury loss and damage suffered by riders as a result of the use of the e-scooter.
- g. Transport recommends council(s) ask their nominated provider(s) to provide evidence of the relevant insurance policies to Council at the commencement of the agreement and each year upon renewal of the insurance policy within 30 days.

6. Management and operation of e-scooters

- a. Transport requires that council(s) establish an agreement with nominated provider(s) to offer members of the public e-scooters for hire on a commercial basis as only riders of e-scooters under such an agreement will be able to legally ride on NSW roads. This agreement may incorporate a financial arrangement negotiated between council(s) and provider(s).
- b. Transport recommends that council(s) nominate provider(s) who have a fleet management system that includes:
 - i. Safety / slow down / stop
 - ii. No go / exclusion zones
 - iii. Cleaning
 - iv. Maintenance
- v. Operational expertise (on the ground team)
- vi. Collection of dumped or abandoned e-scooters.
- c. Transport recommends that council(s) nominate provider(s) who will take responsibility for parking management of e-scooters in their fleet, including adequate guidance / incentives to e-scooter users to ensure e-scooters are parked within designated parking zones.
- d. Transport requires council(s) nominate provider(s) who have a system for reporting, escalating and mitigating safety incidents (ie - crashes and injuries) and will share information about incidents with councils and Transport in the format required by Transport and in a timely manner.
- e. Transport recommends council(s) nominate provider(s) who have a system for the timely reporting and resolution of safety issues, including placement and condition of e-scooters.
- f. Transport recommends council(s) nominate provider(s) who have a system that ensures the timely resolution of customer and community complaints.
- g. Transport requires council(s) to nominate provider(s) who will provide educational information / programs to e-scooter shared scheme users about how to use the e-scooter; safety; user responsibilities; considerations for other users of bicycle path/lanes, shared paths, road users; and provider's terms of use.
- h. Transport recommends council(s) nominate provider(s) who have a system for managing customers who repeatedly fail to comply with the terms of the trial and terms of use of their e-scooters.

- i. Transport recommends council(s) nominate provider(s) who have sound fire prevention / safety practices in place to ensure fire hazard is managed in the operation and maintenance of the e-scooter fleet. This includes ensuring that the fire risks associated with batteries is managed.
- j. Transport requires that council(s) and their nominated provider(s) prepare a Safety Management Plan hazard and risk management relating to the trial operation and management.
- k. Transport requires council(s) and their nominated provider(s) establish a local working group with membership of local stakeholders such as Local Police Area Command, Local Health District, council, e-scooter provider, and Transport to monitor, manage the e-scooter trial, and provide regular updates to Transport.
- l. Transport requires council(s) and their nominated provider(s) to work collaboratively with council(s) and Transport in management of media related to the trial.

7. Data Collection and Reporting

- a. Transport recommends council(s) nominate provider(s) who are prepared to provide regular reports and share information such as trip data and customers insights with councils and Transport in the format required by Transport.
- b. Transport recommends council(s) nominate provider(s) whose terms and conditions for customers cover how the data will be stored, used and shared, and importantly gives permission for Transport and councils to use deidentified data insights to improve transport services and place outcomes.
- c. Transport requires council(s) to nominate provider(s) who will enter into an approved data sharing agreement with Transport.
- d. Transport requires council(s) nominate provider(s) who either:
 - i. comply with the Australian Privacy Principles in the *Privacy Act 1988* (Cth), or
 - ii. if they are not subject to the *Privacy Act 1988* (Cth), agree to comply with the *Privacy and Personal Information Protection Act 1988* (NSW) and the *Health Records and Information Privacy Act 2002* (NSW) as if they were a public agency.

8. Demonstrated capability

- a. Transport recommends council(s) nominate provider(s) who have demonstrated experience in managing e-scooter shared scheme trials in Australian jurisdictions. This may include asking providers to submit testimonials from councils they have worked with.

9. Sustainability and social equity

- a. Transport recommends council(s) consider provider(s) who can provide information about their sustainability goals and programs, including demonstrated outcomes.
- b. Transport recommends council(s) consider provider(s) who can provide information about their social equity goals and programs, including demonstrated outcomes.