

**QUESTIONS & ANSWERS FOR THE ACCESSIBLE STREETS REGULATORY PACKAGE**

Out Of Scope

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RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

<p>[REDACTED]</p>	<p>[REDACTED]</p>
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What devices has the NZ Transport Agency currently declared not to be motor vehicles?

In 2014, yike bikes were declared not to be motor vehicles with conditions imposed on use. This required riders to wear an approved cycle helmet.

In 2018, e-scooters (with a maximum power output of 300 watts) were declared not to be motor vehicles. This occurred due to several requests for further clarification on the status of e-scooters from multiple parties in July, August and September 2018.

As a result of these inquiries, the Transport Agency carried out an investigation to clarify the status of e-scooters in July 2018. In early September, the Transport Agency received a formal request from Flamingo (on 7th September 2018) and Lime scooters (11th September 2018) to declare e-scooters not to be motor vehicles.

To respond to these requests, the Agency undertook an urgent policy investigation to consider making a declaration, with support from the Ministry of Transport. The investigation included:

- A high-level safety review of e-scooter use
- Consideration of past declarations such as the decision to declare e-bikes and yike-bikes not to be motor vehicles
- Consideration of e-scooters as a mode of transport and its benefits
- An evaluation of how other countries have regulated the use of e-scooters

Based on this investigation, the Transport Agency decided that it was consistent with current practice to declare e-scooters not to be a motor vehicle. The declaration was considered a technical clarification and for this reason, consultation was not carried out. A notice to declare e-scooters not to be motor vehicles was issued on 18th September.

The declaration essentially allowed e-scooters with a maximum power output of 300 watts to ride on the footpath and the road.

On 26th March 2019, a complaint regarding the decision to declare e-scooters not to be motor vehicles was brought to the Regulations Review Committee. The complaint called the decision a significant shift in policy and footpath use and criticised the Transport Agency for not properly considering the people it would affect. In particular, the complaint criticised the decision not to consult with the disability sector, or the public, and the short span of time it took the NZ Transport Agency to make the declaration. The Regulatory Review Committee received two further complaints which expressed similar views.

The NZ Transport Agency, the Ministry of Transport and the Associate Minister of Transport responded to the complaints, supporting the decision to declare e-scooters not to be motor vehicles.

Out Of Scope

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