

withheld under s 9(2)(a)

From: [REDACTED]

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Sent: Tuesday, 4 June 2019 2:28 PM

To: [REDACTED]

Subject: M190849 Reply from Hon Julie Anne Genter, Associate Minister of Transport

Tēnā koe e Jane

On behalf of Hon Julie Anne Genter, Associate Minister of Transport, please find below a reply to your correspondence.

Tēnā koe e Jane

Thank you for your email of 26 March 2019, raising a formal complaint with the Regulations Review Committee regarding NZ Transport Agency's (NZTA) management of its regulatory powers. I am also responding to your complaint of 29 March 2019, to the Human Rights Commission regarding Lime Scooters. I am replying on behalf of Hon Phil Twyford, Minister of Transport, and Hon Shane Jones, Associate Minister of Transport, as the matters you raise fall within my portfolio responsibilities. Please accept my apologies for the delay in replying.

As you are aware NZTA and the Ministry of Transport provided formal responses to the Regulations Review Committee both in writing and at the hearing on 22 May. Both NZTA and the Ministry are happy to meet with you to discuss your concerns further or, as suggested by the Human Rights Commission, in mediation.

I note your concerns raised in your complaints, and I understand both how frustrating and significant this issue is to you. I was very sorry to read about the near-miss incident involving

you and your father while walking on Jervois Road in Auckland. It is extremely important to me that New Zealanders feel safe – and are safe – when using our footpaths.

The Government is committed to building a transport system that reduces congestion, improves safety, reduces carbon emissions, and provides greater transport choice. E-scooters, and other low-powered devices such as e-bikes, can offer a great way to get around, and I am sure that if they are used safely, they will form an important part of how we move around our towns and cities in coming years.

You have raised a number of important concerns regarding both e-scooters and other low-powered devices. As the Ministry of Transport noted to the Regulations Review Committee, Ministry of Transport officials are currently developing a regulatory package – Accessible Streets – to improve the safety and accessibility of footpaths for all types of footpath users. The proposed rule changes that will be part of Accessible Streets are designed to increase the safety and accessibility of our footpaths and cycle paths.

While the current rules governing the use of footpaths anticipate their mixed use, the proposed rule changes respond, in part, to the increasing rate of use of various forms of vehicles on our streets and footpaths.

The proposed rules will include:

- enabling wheeled recreational devices – including e-scooters – to be used in cycle lanes and cycle paths. The intention of this rule change would be to encourage faster wheeled recreational devices to move off the footpath, and onto parts of the road where they are less likely to come into conflict with either slow-moving pedestrians or fast-moving vehicles;
- to ensure the safe use of footpaths, we propose to consult on a framework of new rules to govern *how* vehicles can be used on the footpath. The framework comprises general and easily understood requirements that are a mixture of principles (users must behave in a certain way), performance (vehicles must not exceed a specified speed) and prescription (vehicles may be no larger than a specified size). In part, this approach anticipates and is designed to manage the likelihood of new and emerging technologies that might operate on the footpath for some, or all, of their journey in future.

Vehicles such as e-scooters, e-bicycles and other low-powered devices can offer significant transport benefits to users and non-users alike. They provide low-cost forms of mobility for short trips, often require no parking and can complement public transport. When used as an alternative to a private car their use has a public benefit of reducing congestion and harmful vehicle emissions. However, the growth in use of these vehicles can come with risks, as they are operated in contested space on the footpath and roadway.

In the long-term, changes to street design may allow us to reap the benefits of vehicles like e-scooters, and mitigate their risks. For example, greater provision of wide shared paths or bike lanes on busy streets will separate e-scooter users from fast moving car traffic, as well as people walking on the footpath. However, in the interim it is important that we have a regulatory environment that supports safe and accessible travel for all road users using available infrastructure.

I expect formal consultation on Accessible Streets to begin on in the second half of 2019

Once consultation on the package commences in the next few months, I would encourage you to share your views. I have passed your correspondence on to Ministry officials leading this work, and have asked them to contact you directly with consultation information when it is known.

Thank you again for taking the time to raise these important issues with me.

Nāku noa, nā

Hon Julie Anne Genter
Associate Minister of Transport

Ngā mihi koe

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