



# Senate Standing Committee on Rural and Regional Affairs and Transport's inquiry into the need for regulation of mobility scooters, also known as motorised wheelchairs

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*CPSA is a non-profit, non-party-political membership association founded in 1931 which serves pensioners of all ages, superannuants and low-income retirees. CPSA has 99 branches and affiliated organisations with a combined membership of 26,000 people living throughout NSW. CPSA's aim is to improve the standard of living and well-being of its members and constituents. CPSA receives funding support from the NSW Government Departments of Family & Community Services and Health, and the Australian Government Department of Social Service.*

## Key points in this submission

- There is currently limited literature and a lack of an adequate evidence base to formulate policy and regulation in relation to mobility scooters and electric wheelchairs. There is a need for systematic and sustained data collection.
- An area that requires thorough consideration is the built environment in which mobility scooters and electric wheelchairs operate. An often unpredictable and challenging built environment forces users to improvise. Regulation is likely to be of limited benefit if users remain forced to bend the rules to manage an unaccommodating environment.
- The growing use of mobility scooters is an opportunity for our community, not a problem to be dealt with through regulation – policymakers should enable rather than obstruct people’s decision to use mobility scooters.

## Recommendations

- **Recommendation 1:** That there be systematic and sustained data collection on the use of mobility scooters and electric wheelchairs, matters of safety and how they interact with the built environment.
- **Recommendation 2:** That policymaking related to mobility scooters and electric wheelchairs is based on evidence.
- **Recommendation 3:** Policymakers collect evidence on and take into consideration the built environment in which mobility scooter and electric wheelchair users operate, and how this impacts safety and their ability to comply with regulation.
- **Recommendation 4:** That there be a reassessment of the configuration of urban and suburban infrastructure in order to enable mobility scooter and electric wheelchair users to operate equitably and safely.

CPSA welcomes the opportunity to comment on the need for regulation of mobility scooters, also known as motorised wheelchairs. This submission will principally address the regulatory role of government and non-government bodies.

Mobility scooters and motorised wheelchairs are mobility aids that ensure the continuing freedom, independence and dignity for a large number of individuals of all ages with limited mobility.

The policy development trap in this area is to focus on the negative or the risks associated with mobility scooter and electric wheelchair use rather than the benefits. The benefits of mobility scooter and electric wheelchair use are many and diverse. Mobility aids are vital to maintaining their user's wellbeing and engagement with their communities. The use of mobility aids by older people has the potential for significant improvements in mental health outcomes as people are enabled to move around at will in their community, preventing or breaking their social isolation and reducing their reliance on formal or informal carers. Scooters enable people to do their own grocery shopping, attend medical appointments without the need for community transport to become involved. They can further enable people to self-regulate driving their registered motor vehicle, reducing their use of, and reliance on it.

CPSA strongly opposes the introduction of regulation that creates barriers to people accessing mobility assistance and urges that policy must be based on evidence not perception. The growing use of mobility scooters is an opportunity for our community, not a problem to be dealt with through regulation. CPSA advocates that policy maker's response to mobility scooters should:

- be based on evidence, not perception and prejudice
- reflect that the widespread use of mobility scooters is an opportunity for positive social and environmental change; and
- enable rather than obstruct people's decisions to use mobility scooters.

## **The Lack of an Evidence Base for Policymaking**

There is limited literature related to mobility scooters. A 2016 review of the extant empirical research regarding mobility scooters identified that there were just 28 studies worldwide.<sup>1</sup>

The most recent report on the number of mobility scooter users in Australia is now six years old and was based on extrapolation from a telephone survey of 2,406 people and a further 515 self-selected mobility scooter users.<sup>2</sup> This is the extent of our demographic knowledge as it relates to mobility scooters. The report estimated that there are around 231,000 mobility scooter users in Australia or 13 in 1,000 people. 51 per cent of users are aged under sixty and 49 per cent over sixty. Half of all mobility scooters are used outside capital cities.

The results challenged the assumption that the majority of scooter users are elderly and found that without their scooters, many users would be housebound and dependent upon family, friends and carers.

When it comes to the safety performance of mobility scooters, a now seven year old study commissioned by the ACCC demonstrated the lack of data collection in relation to accidents involving mobility scooters.<sup>3</sup>

Due to this lack of an evidence base on which to formulate policy, CPSA commends the inquiry's resolve to gather evidence on the rates and causes of death and injury involving mobility scooters. However, the breadth and depth of evidence needed to effectively formulate policy simply does not yet exist.

There is a need for systematic and sustained data collection in the area of user experiences and needs, road design and accidents involving mobility scooters. CPSA is concerned that without adequate evidence, policy may be based on biased perceptions.

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<sup>1</sup> Ben Mortenson and Jenny Kim, "Scoping Review of Mobility Scooter-Related Research Studies', *Journal of Rehabilitation Research & Development* 53, no. 5 (2016): 533.

<sup>2</sup> Australian Competition and Consumer Commission. Product Safety Australia, *Mobility Scooter Usage and Safety Survey Report*, September 4, 2012, accessed March 7, 2018, <https://www.productsafety.gov.au/system/files/Mobility%20scooter%20usage%20and%20safety%20survey%20report.pdf>.

<sup>3</sup> Australian Competition and Consumer Commission, Product Safety Australia, *Targeted Study of Injury Data involving Motorised Mobility Scooters*, March 24, 2011, accessed March 7, 2018, <http://www.productsafety.gov.au/content/index.phtml/itemId/985925>

As is often the case in the media and popular discourse, mobility scooters are portrayed as ‘pariahs’ where stories characterise mobility scooter users as reckless, lazy and irresponsible.<sup>4</sup>

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<sup>4</sup> S Stowe and GP Mulley, “Gerotechnology Series: Ram Raid Wrinklies and Geriatric Joy Riders: How Newspapers Depict Scooter Users, *European Geriatric Medicine* 1, no. 1 (2019): 52–57.

## **Mobility Scooters, Electric Wheelchairs and the Built Environment**

CPSA cautions against regulating mobility scooters without thorough consideration of the context of mobility scooter use in Australia. Mobility scooter users are operating in contested spaces, due in part to the privileging of motor vehicles in infrastructure development. The resulting infrastructural inadequacies and built environmental issues create barriers and challenges to mobility scooter users. These include discrimination in building design, uneven footpaths and the absence of dedicated parking and lanes. In many cases mobility scooter usage is incompatible with existing features of other forms of transport including shop fronts, train corridors, bus entrances, stations and car boots.<sup>5</sup> As a result, mobility scooter users are left to navigate difficult and dangerous terrain, including driveways, footpaths with poor maintenance, nature strips, and forced use of the roads. This compromises the safety of themselves and others.<sup>6</sup>

One study<sup>7</sup> describes Australian mobility scooter users as transport ‘mavericks’ as they must adapt to an unpredictable, unaccommodating and challenging built environment. No special provision in the transport system is being made for mobility scooters that would make their use more predictable and reliable, in the way that it is for cars, cyclists and pedestrians. Therefore increased regulation of mobility scooters is likely to be of limited benefit if they remain forced to bend the rules to manage an unaccommodating environment.

Mobility scooter use is likely to continue to grow as the population aged over 65 increases both in nominal and proportional terms. Australia has the opportunity to reassess the configuration of its urban and suburban road infrastructure in favour of community-friendly set-ups. Rather than restricting mobility scooter use, resources would be much better spent on making cities "smarter" and more sensitive to all citizen's needs.

- **Recommendation 3:** Policymakers collect evidence on and take into consideration the built environment in which mobility scooter and electric wheelchair users operate, and how this impacts safety and their ability to comply with regulation.

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<sup>5</sup> Birtchnell, et al. On the Verge of Change, 6.

<sup>6</sup> For example, S John Sullivan, Steve La Grow, Sridhar Alla and Anthony G Schneiders, "Riding into the Future: a Snapshot of Elderly Mobility Scooter Riders and How they Use their Scooters," *The New Zealand Medical Journal* 127, no. 1402 (2014): 43–50; Ryan Fomiatti, Lois Moir, Janet Richmond and Jeannine Millsted, "The Experience of Being a Motorised Mobility Scooter User," *Disability and Rehabilitation: Assistive Technology* 9, no. 3 (2014): 183-187; Birtchnell et al., On the Verge of Change, 8.

<sup>7</sup> Birtchnell et al., On the Verge of Change, 4.

- **Recommendation 4:** That there be a reassessment of the configuration of urban and suburban infrastructure in order to enable mobility scooter and electric wheelchair users to operate equitably and safely.