



**Government Response to the
Transport Select Committee
Mobility Scooters
Ninth Report of Session 2009-10**

Presented to Parliament by the Secretary of State for Transport
by Command of Her Majesty

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House of Commons Transport Committee

Mobility Scooters

Ninth Report of Session 2009-10

Introduction

This paper sets out the Government's response to the ninth report of session 2009-10 (HC414), on Mobility Scooters.

The Government welcomes the Committee's report at a time when we are consulting on our proposals for changing the laws governing powered wheelchairs and mobility scooters¹ (termed "invalid carriages" in law).

We acknowledge that the Committee did not have the opportunity to publish a definitive report, but appreciate the recommendations of the Committee and the evidence given at the inquiry. We will analyse this information along with responses to our consultation to inform our decisions on whether to proceed with any reforms.

Response to the Committee's Recommendations

1. It is very important the Department's 2010 consultation, aimed at defining the extent of any problem and identifying potential solutions, is acted upon. We urge the Department to consider the findings of its current consultation carefully and then to take decisive action where necessary.

We intend to carry out a full analysis of the responses to the consultation. The analysis will also incorporate the written and oral evidence submitted to the Committee. We then propose to publish a summary of the responses. The consultation responses, evidence submitted to the Committee, and surveys we have commissioned will be used to inform decisions on future policy and to inform an action plan.

¹ Consultation on proposed changes to the laws governing powered mobility scooters & powered wheelchairs (DfT 2010-10)

2. The collection of data on mobility scooter use

In the interest of creating a sound evidence base, we welcome the Department's creation of a separate category to record incidents involving mobility scooters. Priority must now be given to reliable measurement of the scale of the 'problem'.

We accept the Committee's recommendation that a sound evidence base is required, and that we must understand the scale of the 'problem' before considering whether to make any changes in legislation.

The annual National Travel Survey records the number of people who use mobility scooters and powered wheelchairs and their frequency of use. However, because these vehicles are used in a variety of locations, not just on the public roads, it is difficult to estimate the number of incidents and type of injuries involved.

From 2013 the STATS19 form used by the police to collect information about road casualties will include a field for recording the involvement of a mobility vehicle, enabling such data to be recorded centrally.

In addition, we have commissioned work via the Office of National Statistics omnibus survey and are seeking further evidence through our consultation.

3. Proficiency tests

The Department should look closely at local initiatives, including the Great Yarmouth scheme, to identify whether there is merit in using it as a model for wider application.

We are aware of training and assessment schemes being provided by a variety of organisations in addition to that being run by Norfolk Constabulary. We have contacted these organisations for further detail on both the assessment and training elements of the service they provide.

The information received in response to this work will help to inform the policy options following the consultation.

4. Fitness to drive tests

Following its consultation, the Department must clarify who is fit to drive a mobility scooter in a public place.

The consultation is seeking views on whether there should be a more formal assessment process. In addition, we are gathering information from organisations that currently provide advice and assessment on the criteria they use to determine a person's fitness to operate a mobility scooter. This information will be used in determining future policy on fitness to drive in relation to mobility scooters.

5. Carriage on public transport

We recommend that the Department, as part of its consultation, seeks the views of both operators and users when considering further regulation.

The Committee has accurately indicated that the use of mobility scooters on public transport is outside the scope of the current consultation. It is, however, mentioned in paragraph 33 of the consultation document.

The consultation has been sent to a wide range of people, including some transport operators such as those who provided evidence to the Transport Committee.

The current position is that new public transport vehicles are required to have features making them more accessible to disabled people. Regulations specify the maximum wheelchair dimensions that must be accommodated.

Mobility scooters, on the other hand, are designed to provide outdoor mobility as an alternative to other forms of private and public transport. They are primarily for use on pavements and roads for short trips and are not designed to be carried on public transport vehicles.

As a result, they can be difficult to manoeuvre, and cannot easily be transported in vehicles. Regulations do not therefore require public transport operating companies to carry scooters.

The final decision on whether to carry a mobility scooter on a public transport vehicle rests with individual operators as they are best placed to take into account the rolling stock they use and local conditions when making their decision.

We note, however, the Committee's concerns over the lack of a standard / maximum size and weight for mobility scooters, and will consider this matter further along with the ongoing consultation exercise.

6. The legal status of scooters

If a new offence were to be created under the law, its sanctions must be proportionate to the level of risk, and great care must be taken to ensure vulnerable users are not deprived of their independence through fear of being criminalised.

The Consultation seeks views on whether the laws governing unsafe use of mobility vehicles are adequate. We will consider these views carefully and evaluate the impact of any possible options on vulnerable road users.

We recognise the freedom and independence that mobility scooters provide to people with limited mobility. The consultation states that the aim of any reforms taken forward would be to deliver improvements to the safety of mobility users, pedestrians and other road users while supporting continued mobility for disabled people.



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