

# New Zealand's Regulatory System for Shared/Rental Micromobility

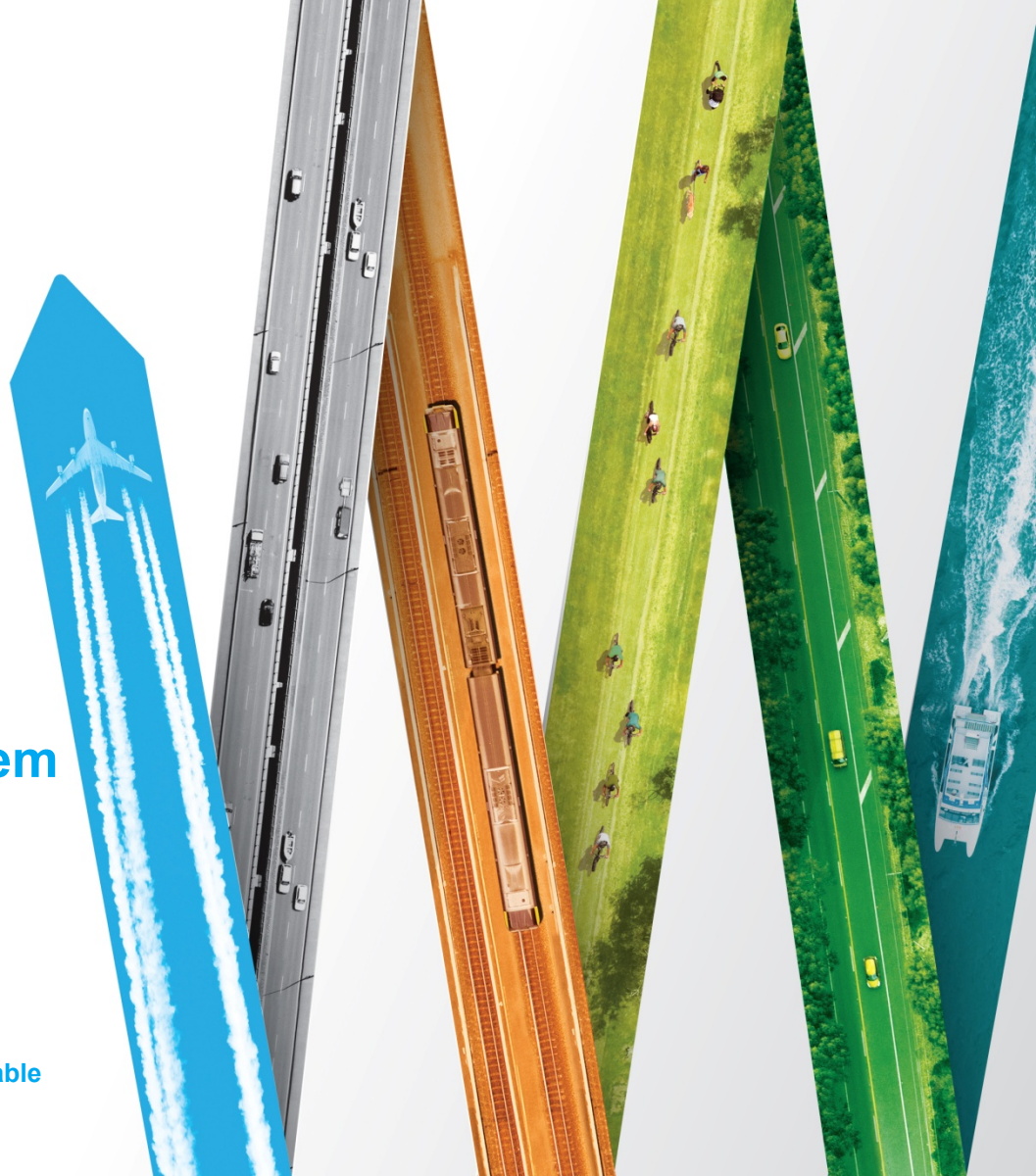
Presentation by Rosalinda Pierce, Ministry of Transport, New Zealand

Roundtable on Micromobility, Equity and Sustainability  
17-19 March 2021

# New Zealand's Regulatory System for Shared/Rental Micromobility

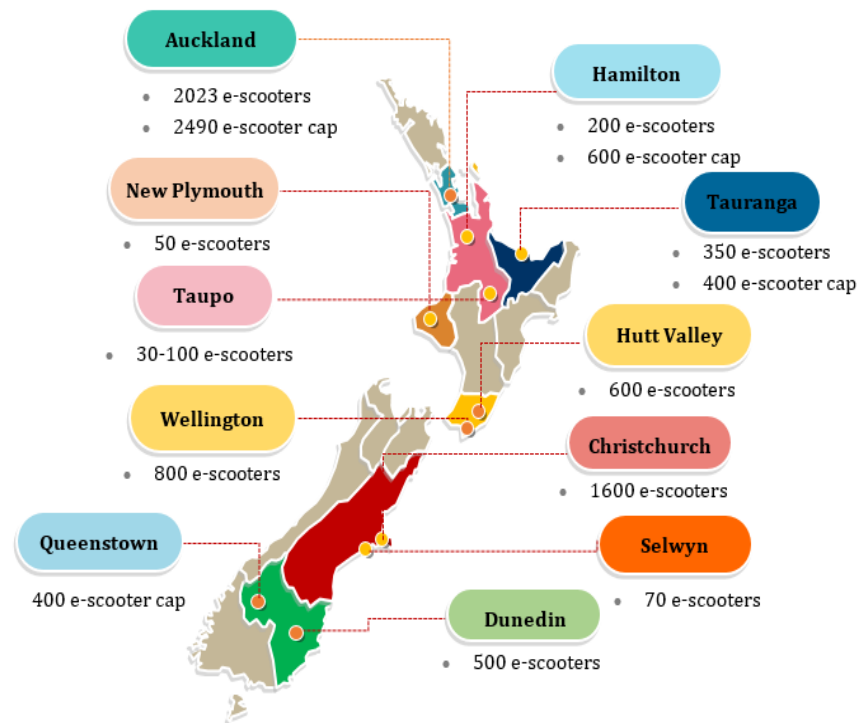


March 2021 | Prepared by Rosalinda Pierce for the ITF Roundtable



# The New Zealand context

- ▶ There has been a significant increase in the number of electric micromobility devices in New Zealand since 2018.
- ▶ Different councils have been trialling the operation of these devices, predominantly e-scooters, through permitting commercial shared schemes.
- ▶ Initially shared e-scooter schemes received a lot of bad press and there are still concerns regarding their cost to the health system
- ▶ Despite a bumpy start, shared e-scooter schemes are now generally accepted as a permanent feature of New Zealand's transport system



# The New Zealand context

- ▶ **Bylaws are used as the primary lever for regulating shared e-scooter schemes, but are not fit-for-purpose**
  - ▶ Most councils use a Trading in Public Places bylaw, despite these not being designed for transport services
  - ▶ Councils can adjust and create new bylaws, but these reviews are resource and time intensive
- ▶ **Councils have autonomy to set the regulatory and operating environments for e-scooter companies**
  - ▶ For operators, this is challenging the business model of shared/rental micromobility
  - ▶ For councils, the autonomy enables them to ensure micromobility is working for their cities
- ▶ **There is no standardised approach for monitoring and enforcing requirements across different councils**
  - ▶ Operators are responsible for ensuring their devices and riders comply with councils regulations
  - ▶ Different councils have varying levels of resource and appetite to monitor and enforce regulations
- ▶ **Councils and operators tend to agree that the regulatory system is *functional*, but not necessary *optimal***
  - ▶ Most councils express desire for more regulation from a central level, but for varying reasons
  - ▶ Most operators do not want to see more regulation from central or local government

# Roles and responsibilities

**Minister of Transport**

Creates the settings that influence actors in the system  
Determines policy and strategic direction of the system  
Purchases transport infrastructure on behalf of the Crown

**Waka Kotahi New Zealand Transport Agency**

Decides what is and isn't a motor vehicle  
Develops and funds national messaging campaigns  
Delivers land transport infrastructure

**Ministry of Transport**

Steward and lead of the transport system  
Advises Minister on how to achieve outcomes  
Monitors performance of crown agencies

**Territorial Authorities/Local Government/Councils**

Sets regulatory and operating environment for operators  
Protects amenity value  
Co-funds land transport infrastructure with Waka Kotahi

**E-scooter companies/Operators**

Runs micromobility transport service  
Communicate with riders to influence behaviour  
Comply with regulations (bylaws and codes of practice)

**Ride Report**

Offers third party data analytics and aggregation  
Provides councils with trusted data on operators  
Works with jurisdictions and companies globally

# Insights from our research

- ▶ There is limited evidence to suggest that there are significant safety issues arising as a result of the current system that would be addressed by having greater national oversight of operators. However, e-scooters and other micromobility devices are constantly changing and becoming more sophisticated. If some of the more advanced features that have been proposed became a reality there may be a greater case for national regulatory oversight

# Insights from our research

- ▶ There is limited evidence to suggest that there are significant safety issues arising as a result of the current system that would be addressed by having greater national oversight of operators. However, e-scooters and other micromobility devices are constantly changing and becoming more sophisticated. If some of the more advanced features that have been proposed became a reality there may be a greater case for national regulatory oversight
- ▶ The overall sentiment from operators was that they understand and appreciate why councils need to be able to regulate certain aspects of their rental e-scooter schemes, but would like to see more data-driven decision making and a more partnership style approach to regulation, monitoring and enforcement. However, in some environments the requirements on operators are so burdensome that they are threatening the viability of rental e-scooter schemes.

# Insights from our research

- ▶ There is limited evidence to suggest that there are significant safety issues arising as a result of the current system that would be addressed by having greater national oversight of operators. However, e-scooters and other micromobility devices are constantly changing and becoming more sophisticated. If some of the more advanced features that have been proposed became a reality there may be a greater case for national regulatory oversight
- ▶ The overall sentiment from operators was that they understand and appreciate why councils need to be able to regulate certain aspects of their rental e-scooter schemes, but would like to see more data-driven decision making and a more partnership style approach to regulation, monitoring and enforcement. However, in some environments the requirements on operators are so burdensome that they are threatening the viability of rental e-scooter schemes.
- ▶ Councils see value in central government regulating certain aspects of the system currently regulated by councils, for example upper speed limits and helmet use, but with councils retaining the existing level of autonomy and flexibility within those centrally set rules. The extent to which councils would like the regulatory responsibility transferred to central government depends on each councils' willingness and ability to monitor and enforce the existing regulations.



# Insights from our research

- ▶ There is limited evidence to suggest that there are significant safety issues arising as a result of the current system that would be addressed by having greater national oversight of operators. However, e-scooters and other micromobility devices are constantly changing and becoming more sophisticated. If some of the more advanced features that have been proposed became a reality there may be a greater case for national regulatory oversight
- ▶ The overall sentiment from operators was that they understand and appreciate why councils need to be able to regulate certain aspects of their rental e-scooter schemes, but would like to see more data-driven decision making and a more partnership style approach to regulation, monitoring and enforcement. However, in some environments the requirements on operators are so burdensome that they are threatening the viability of rental e-scooter schemes.
- ▶ Councils see value in central government regulating certain aspects of the system currently regulated by councils, for example upper speed limits and helmet use, but with councils retaining the existing level of autonomy and flexibility within those centrally set rules. The extent to which councils would like the regulatory responsibility transferred to central government depends on each councils' willingness and ability to monitor and enforce the existing regulations.
- ▶ Councils and operators have disparate experiences of the same regulatory system. One of the most fundamental points of difference is that all operators perceive rental e-scooters as a form of public transport, but are not subsidised, unlike other forms of public transport. Most councils, however, believe that they are indirectly subsidising e-scooter operators by not recovering all the cost of managing the permits and monitoring the regulatory environment.

# Next steps for New Zealand

Waka Kotahi NZ Transport Agency is progressing work under the Accessible Streets Regulatory Package.

- ▶ AS is designed to make footpaths, shared paths, and cycle lanes safer and accommodate the increasing use of micromobility devices on streets and footpaths. AS will create a national framework clarifying the types of vehicles and devices that are allowed on footpaths, shared paths, and cycle lanes, and how they can use these spaces.
- ▶ This will include a proposed 15km/h speed limit on the footpath and a requirement for all other footpath users to give way to pedestrians. The rules clarify how road controlling authorities may regulate pedestrians, devices, and spaces such as the footpath, and propose changes to remove barriers to walking, device use, and cycling.

# Next steps for New Zealand

Waka Kotahi NZ Transport Agency is progressing work under the Accessible Streets Regulatory Package (AS)

- ▶ AS is designed to make footpaths, shared paths, and cycle lanes safer and accommodate the increasing use of micromobility devices on streets and footpaths. AS will create a national framework clarifying the types of vehicles and devices that are allowed on footpaths, shared paths, and cycle lanes, and how they can use these spaces.
- ▶ This will include a proposed 15km/h speed limit on the footpath and a requirement for all other footpath users to give way to pedestrians. The rules clarify how road controlling authorities may regulate pedestrians, devices, and spaces such as the footpath, and propose changes to remove barriers to walking, device use, and cycling.

The Ministry of Transport is working with councils and Waka Kotahi to develop best practice guidance for the sector.

- ▶ This work has commenced this month and will cover best practice approaches to micromobility policies, such as:
  - ▶ Curb space management (e.g. device caps, parking areas, fees)
  - ▶ Equity service programmes (e.g. low-income affordability, neighbourhood servicing)
  - ▶ Enforcement (e.g. protecting private property, revoking operating permits)
  - ▶ Data standards (e.g. data accessibility, data dashboards)
- ▶ This work will also aim to establish an agreed definition of micromobility in New Zealand, and set out its benefits and opportunities as a transport mode for the future.

Thank you



# Questions for discussion

- ▶ Are the roles and responsibilities for regulating micromobility different in your country?
- ▶ What do you see as the main challenges and benefits of micromobility?
- ▶ Does your country manage privately owned micromobility differently to shared/rental?
- ▶ What experiences from your country may be useful for our best practice guidance?