

## Written evidence submitted by Bird

### Contents

#### About Bird

#### Whether the legislation for e-scooters is up to date and appropriate

#### To what extent e-scooters have positive benefits, for instance relating to congestion and promoting more sustainable forms of transport

#### Where in the urban environment e-scooters could be used (e.g. road, pavement, cycle lanes), and how this could impact on other road users and pedestrians, including people who have visual impairments or use mobility aids;

#### Whether there should be advice or compulsory requirements to use specific safety equipment when using an e-scooter

#### Whether there should be safety and environmental regulation for the build of e-scooters, and what this might entail

#### The experience of other countries where e-scooters are legal on the roads

#### Closing remarks

### About Bird

Bird founded the e-scooter sharing industry in 2017, with the mission to help cities reduce car trips by providing an affordable, accessible and convenient transport alternative. As the first company to operate a shared e-scooter program, our experience in the micro-mobility industry is unmatched. Today, we operate in over 100 markets worldwide in the US, Middle East and Europe.

### Whether the legislation for e-scooters is up to date and appropriate

Bird welcomes the recent announcement from The Department for Transport (DfT) that the Government will allow trials of e-scooters in any UK city that wants to host them, from this June. The announcement, along with previous commitments made as part of the Future of Transport work, shows that the Government is already moving to change legislation that is out of date and no longer appropriate. Bird is keen to help the Government develop the evidence base it needs in order to provide the basis for good policy-making and to legalise e-scooters. As such, we plan to take part, by operating our dockless shared scooters in these upcoming trials.

Despite announced changes, the status quo is that e-scooters are currently not permitted on UK roads and cycle lanes under the Road Traffic Act (1988). Technology and the way people get around has moved on considerably over the past 30 years, as have the infrastructure and environmental challenges facing UK towns and cities; e-scooters can help with congestion, air-quality, and 'final-mile' urban transport challenges. Recent years have also rightly seen the Government encourage the use of more active forms of transport, e-scooters

can and should start to play a part in this in the UK, as they are elsewhere in the world. Electric scooters are currently on the street in 21 European countries. A 2020 study from BCG<sup>1</sup> found that electric scooters are already present in 350 cities globally, and 105 in Europe (including 32 in Germany, 7 in France, 9 in Spain and 6 in Belgium). The UK currently has one place where you can legally ride a shared e-scooter: on private land in the Queen Elizabeth Olympic Park, London, where Bird has operated since 2018. The operation has proved hugely successful, with tens of thousands of people having used the service both for leisure and as part of their daily commute to get from Stratford station to the Here East technology campus.

To what extent e-scooters have positive benefits, for instance relating to congestion and promoting more sustainable forms of transport

Bird electric scooters have the potential to reduce congestion and improve air quality in UK cities, while providing affordable connectivity and complementing public transport networks.

**Decreasing traffic congestion and car ownership:** Introducing an affordable, environmentally conscious and easily accessible transport option into a city's most highly visited areas can drastically improve traffic flow and reduce congestion. In Germany, a survey of 1,250 people across five cities where electric scooters are in use (Berlin, Hamburg, Munich, Cologne and Frankfurt) found a combined 50.9% of responses recorded that electric scooters replace some form of car trip (personal, taxi, carpooling or ride-hail).<sup>2</sup> According to surveys from US cities, including Portland,<sup>3</sup> Denver,<sup>4</sup> San Antonio,<sup>5</sup> and Santa Monica,<sup>6</sup> around 33% to 50% of all e-scooter trips would have otherwise been taken by Uber, Lyft, or private vehicle.

**Improving air quality and decreasing carbon emissions:** A recent Inrix study found that 67% of car journeys in UK cities are less than 3 miles in length.<sup>7</sup> If just a fraction of these journeys were made by electric scooter, then congestion, CO<sub>2</sub> emissions and air pollution could be reduced across UK cities. In Paris, a study of the impact of electric scooters found that electric bikes and electric scooters could support a reduction of the city's overall emissions from transport of 68% by 2030.<sup>8</sup>

**Complementing the existing bike network:** In markets where Bird is operating, we have seen utilisation and demand for cycle lanes and shared mobility schemes increase substantially. A recent study from the OECD concluded that electric scooters 'can support existing sustainable mobility policies by increasing demand for a safe and connected network of cycle paths'.<sup>9</sup> We've also seen a strong shift of commuters moving to using micromobility vehicles, where electric scooters are available. A survey conducted by the city of Portland, Oregon, showed 78% of electric scooter riders had never used shared urban micromobility before electric

<sup>1</sup> <https://www.bcg.com/publications/2020/e-scooters-can-win-place-in-urban-transport.aspx>

<sup>2</sup> <https://www.nunatak.de/paper/new-urban-mobility/>

<sup>3</sup> <https://www.portlandoregon.gov/transportation/78431>

<sup>4</sup> <https://www.denvergov.org/content/dam/denvergov/Portals/705/documents/permits/Denver-dockless-mobility-pilot-update-Feb2019.pdf>

<sup>5</sup> <https://www.sanantonio.gov/Portals/0/Files/CCDO/Dockless%20Vehicle%20Community%20Engagement%20Report%20-%20May%202019.pdf?ver=2019-05-23-141425-113>

<sup>6</sup> [https://www.smgov.net/uploadedFiles/Departments/PCD/Transportation/SantaMonicaSharedMobilityEvaluation\\_Final\\_110419.pdf](https://www.smgov.net/uploadedFiles/Departments/PCD/Transportation/SantaMonicaSharedMobilityEvaluation_Final_110419.pdf)

<sup>7</sup> <http://inrix.com/press-releases/micromobility-study-uk-2019/>

<sup>8</sup> <http://www.carbone4.com/bird-study-escooters-decarbonization/?lang=en>

<sup>9</sup> <https://www.itf-oecd.org/safe-micromobility>

scooters were launched there, 45% responded that they had never even biked in the city before trying e-scooters.<sup>10</sup>

**Completing the last mile for commuters:** Electric scooters can seamlessly integrate with UK cities' bus or rail networks to enable business commuters, students, and visitors to take inexpensive, environmentally-conscious multi-model trips within the city. During last year's public transport strikes in Paris, Bird kept people moving by offering rides for the same price as a metro ticket. Recently, the OECD has found that micromobility vehicles, like electric scooters, can 'increase the catchment area of public transport by allowing wider access to stations'.<sup>11</sup> Bird analysis of ride-end and survey data in cities like Washington D.C. and Chicago, found that 20% to 30% of trips connect to public transportation.<sup>12</sup>

**Providing affordable accessibility:** With the average journey costing less than the equivalent of £2 per ride, the service is affordable and accessible.

**Improving connectivity and boosting the local economy:** Introducing electric scooters can boost local businesses and high streets by improving connectivity. A survey of Bird riders in Washington DC found that 37% reported they were more likely to visit local businesses because of access to a Bird scooter.<sup>13</sup>

**Offering safe travel:** A recent OECD report found electric scooter users are no more at risk when travelling than bike users, and that 'a trip by car or by motorcycle in a dense urban area is much more likely to result in the death of a road user, this includes pedestrians, than a trip by a Type A micro-vehicle' (i.e an electric scooter). It concluded '***a modal shift from motor vehicles towards Type A micro-vehicles can thus make a city safer***'.<sup>14</sup>

Where in the urban environment e-scooters could be used (e.g. road, pavement, cycle lanes), and how this could impact on other road users and pedestrians, including people who have visual impairments or use mobility aids;

E-scooters should be used on low speed roads and in cycle lanes. As e-scooters have a similar size, weight, speed and safety profile to e-bikes, they should be treated in the same way in law as those vehicles. They will have similar impacts on pedestrians, the visually impaired and users of mobility aids. Bird expects that these impacts will be minimal, although recognises the importance of keeping the public right of way free from obstructions for these road users.

Bird takes seriously any concerns about e-scooters on footpaths or blocking the public right of way. However, it is important to separate two separate issues here: one is whether or not the Government should legalise e-scooters, and the second is the powers of Local Authorities to keep the public right of way free from obstructions and to control and regulate parking of vehicles, including dockless and shared micro mobility such as bikes, e-bikes and e-scooters.

These two issues, although linked, should not be conflated and the latter should not influence the former.

<sup>10</sup> <https://www.portlandoregon.gov/transportation/article/700916>

<sup>11</sup> <https://www.itf-oecd.org/safe-micromobility>

<sup>12</sup> <https://comotionnews.com/2020/03/25/e-scooters-make-it-easier-and-more-likely-for-the-public-to-use-mass-transit/>

<sup>13</sup> Bird survey of users in Washington DC

<sup>14</sup> <https://www.itf-oecd.org/safe-micromobility>

The e-scooter as a vehicle in and of itself presents no more hazard to a visually impaired person, or mobility aid user, than a bicycle or e-bike, the vehicles travel at the same speed, are about the same size and weight. The vehicles should therefore be treated in the same way in the eyes of the law; e-scooters should be legalised.

However, it is possible that irresponsible parking by the user of any vehicle can create an obstruction to the public right of way. This is not a problem unique to e-scooters: parking of cars on a footpath or inconsiderately parked bikes can create similar obstructions to the public right of way, blocking parents with pushchairs and presenting a hazard to the visually impaired or users of mobility aids. A study of parking behaviour in five American cities found seven of 865 (0.8%) bicycles and scooters were improperly parked, while nearly one-quarter (24.7%) of motor vehicles were improperly parked.<sup>15</sup> Similar finds were reported by an independent study of e-scooter parking by San Jose State University's Mineta Transportation Institute which found that 90% of e-scooters were appropriately parked, 97% were parked upright and just 1% obstructed pedestrian traffic.<sup>16</sup>

Whilst presenting a challenge, problem parking should not be a barrier to legalising e-scooters. Local Authorities already have a number of powers at their disposal to help them to keep the public right of way clear, including:

The Highways Act 1980 Section 130<sup>17</sup> contains a duty for councils 'to prevent, as far as possible, the stopping up or obstruction' of highways in their authority. Sections 143 and 149 provide powers to issue notices requiring the removal of structures and 'nuisances' respectively, with the latter including 'any thing unlawfully deposited on the highway [which] constitutes a danger (including a danger caused by obstructing the view) to users of the highway'.

Civil parking enforcement (CPE) does not currently allow Local Authorities to issue a penalty for parking on the pavement but this could be brought into scope, while allowing for any necessary exceptions or designated spots for pavement parking where needed.

Traffic Regulation Orders (TROs) can indirectly ban parking on pavements, by introducing the enforcement of CPE in an area.

Whether there should be advice or compulsory requirements to use specific safety equipment when using an e-scooter

There are no compulsory requirements to use specific safety equipment for e-bikes and bicycles, and the same should apply to e-scooters.

Bird champions safety with all our users and as such we support and advise our riders to wear a helmet when using our vehicles. We support this advice with in-person and in-app training about how to ride responsibly, and we have given away over 60,000 helmets worldwide as part of our safety campaigns<sup>18</sup>.

<sup>15</sup> Brown et. al "Impeding access: The frequency and characteristics of improper scooter, bike, and car parking", Transportation Research Interdisciplinary Perspectives Available online 3 March 2020, 100099

<sup>16</sup> Ibid., Fang et. al "Where Do Riders Park Dockless, Shared Electric Scooters? Findings from San Jose, California".

<sup>17</sup> <http://www.legislation.gov.uk/ukpga/1980/66/part/IX/crossheading/protection-of-public-rights>

Whether there should be safety and environmental regulation for the build of e-scooters, and what this might entail

In terms of safety, Vehicles should weigh no more than 35kg, and be speed limited (for example, to no more than 15.5 mph). According to research by the OECD International Transport Forum, a trip by car or by motorcycle in a dense urban area is more likely to result in a traffic fatality than a “Type A micro-vehicle,” which includes shared e-scooters.<sup>19</sup> A trip by shared standing e-scooter is no more likely than a bicycle trip to result in a road traffic death.<sup>20</sup>

In terms of environmental sustainability, what is important is that the vehicles be durable. In our experience, a durable vehicle, with a long-lasting battery minimises carbon emitted per passenger mile. In contrast, other approaches, such as in-field swappable batteries are more vulnerable to damage, which can pose increased safety risks and shorten lifespan. Nonetheless, we do not recommend that DfT attempts to regulate form factors or pick winners. E-scooters are still a novel technology, and there is much room for innovation, over-prescription here would stifle it. Instead we recommend that regulation focus on things such as proper recycling practices and compliance with existing laws.

The experience of other countries where e-scooters are legal on the roads

Cities around the world have successfully brought micromobility to their citizens through thoughtfully-designed pilot programs since 2018. The safety of these vehicles is no longer in question. A report released by the OECD-ITF<sup>21</sup> summarising city pilots concluded risks of riding a bicycle or an e-scooter are similar.

**Other countries have seen impressive modal shifts**, with people choosing to use e-scooters instead of Private Hire Vehicles (PHVs) or their own private cars. According to surveys including Portland, Denver, San Antonio, and Santa Monica, around 33% to 50% of all e-scooter trips would have otherwise been taken by PHVs, or private vehicles.

**E-scooters are tremendously popular**, reaching a level of use in their first year that it took shared bikes eight years to achieve. In 2018, 38.5M trips<sup>22</sup> were taken in the US alone. E-scooters are also drawing a broader cohort onto two wheels. A survey conducted in Portland found 44% had never ridden a personal bike as a form of urban transportation.

**E-scooters substantially increase jobs reachable** relative to those one can access by walking or transit alone. In Nashville, jobs accessible doubled<sup>23</sup> by the addition of e-scooters. In Miami, that number was 40%<sup>24</sup>. In addition to time savings to riders, e-scooters bring benefits in the form of job opportunities to perform operational tasks such as charging and maintenance of the vehicles.

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<sup>18</sup> <https://www.bird.co/press/bird-launches-safety-campaign/> and <https://www.bird.co/press/bird-kicks-off-100-city-s-h-a-r-e-tour-to-make-streets-safer-for-all/> are two examples

<sup>19</sup> OECD/ITF, Safe Micromobility, p.20. The OECD-ITF defines “Type A micro-vehicles” as those that have a mass of up to 35 kg and “their power supply (if any) is electronically limited so the vehicle speed does not exceed 25 km/h (15.5 mph).”

<sup>20</sup> Ibid. p.20.

<sup>21</sup> <https://www.itf-oecd.org/10-recommendations-safe-micromobility>

<sup>22</sup> <https://nacto.org/shared-micromobility-2018/>

<sup>23</sup> <https://micromobilitycoalition.org/2019/07/16/report-e-scooters-more-than-double-access-to-job-opportunities-in-nashville/>

<sup>24</sup> *ibid*

**E-scooters also bring environmental benefits** in the form of tailpipe emissions avoided and Greenhouse Gas emissions reduced<sup>25</sup>.

City reports referenced are available online.

- **Arlington, VA**
  - Shared Mobility Devices (SMD) Pilot Evaluation Report (Mobility Lab, Oct 2019) ([Full Report](#))
- **Baltimore, MD**
  - Dockless Vehicle Pilot Program Evaluation Report (March 2019) ([Full Report](#))
- **Denver, CO**
  - Dockless Mobility Program Pilot Interim Report (Feb 2019) ([Full Report](#))
- **Oakland, CA**
  - “The Year in Review: 2018 Shared Mobility Snapshot” ([Full Report](#))
- **Portland, OR**
  - Portland Bureau of Transportation (PBOT): “2018 E-Scooter Findings Report” (Jan 2019) ([Full Report](#))
- **San Antonio, TX**
  - “Dockless Vehicle Community Engagement Report” (May 2018) ([Full Report](#))
- **Santa Monica, CA**
  - Shared Mobility Device Pilot Program User Survey Results (May 2019) ([Full Report](#))

### Closing remarks

It is clear that the UK Government needs to act to legalise e-scooters, to avoid falling behind the rest of Europe. The global Covid-19 pandemic has increased the need for urgent action here, as cities struggle to find ways to help people return to work with public transport running at a greatly reduced capacity.

Bird welcomes the steps taken by the Government to move towards legalisation of e-scooters, using trials to develop the evidence required to bring forward this legislation. It is right that safety for all road users should be at the heart of these trials and the following legislation. Bird would be happy to provide any further information that the Committee requires, or to give oral evidence on safety or any of the other issues raised in this submission.

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<sup>25</sup> <https://www.bird.co/blog/life-cycle-analysis-co2-emissions-gap-between-cars-scooters/>