



7.1 Petition – Protect Pedestrian’s Right to Safety on Footpaths

A Petition containing 1,103 signatures, was received from residents of the City of Melbourne and the City of Port Phillip Council Areas.

The Petition states the following: -

E-scooters, (Food Delivery Riders, Cyclists and Motorbikes) Being Ridden on Footpaths in the City of Melbourne, and the City of Port Phillip Council Areas.

We the undersigned hereby petition the City of Melbourne and City of Port Phillip Councils to PROTECT PEDESTRIANS' RIGHT TO SAFETY ON FOOTPATHS

- *Clearly articulate to users that they cannot ride on footpaths and that there will be consequences if they do not obey the road rules.*
- *Implement an education program supported by appropriate surveillance and compliance measures.*

OFFICER COMMENT

1. The petition relates to the use of food delivery bikes, cyclists and motorbikes as well as shared and privately owned e-scooters on Port Phillip and City of Melbourne footpaths.
2. The petition requests Council to clearly articulate rules and consequences as outlined in the Victorian Road Rules.
3. The following Victorian Road Rules apply for people riding bicycles
 - a. Children aged 12 years or younger can ride on footpaths.
 - b. People older than this may ride on a footpath if they are riding with a child aged 12 or younger.
 - c. Adults aged 18 years or older can also ride on the footpath with a young child in a bike seat attached to the bike.
 - d. You can ride on a footpath if you have a medical certificate that says you have a disability that makes it difficult to ride on the road. You must follow the conditions on your medical certificate and carry a copy with you to show to police or an authorised person if asked.
 - e. You can ride on a footpath if you are 13 or over and riding with someone who has a medical certificate that says they have a disability that makes it difficult to ride on the road.
 - f. People riding on footpaths must always give way to pedestrians.
4. Shared and private e-scooters can only ride on shared paths, bike paths, on-road bike lanes, roads up to 60km/h and under and cannot be ridden on footpaths
5. On 30 March 2023, the Victorian Government announced a six-month extension to the current e-scooter trial with the following changes:
 - a. Private e-scooters may now be ridden in line with the requirements of the regulations
 - b. Minimum age of riders reduced from 18 to 16 years
 - c. Riders may ride at a maximum speed of 20kms per hour on roads with a speed limit up to 60kms per hour
6. Shared e-scooters that are part of the trial in Port Phillip are speed regulated in line with the regulations, have identification numbers on every device and hold current



- Public Liability, Personal Injury and Third Party Insurance, one operator also has “no fault” third party insurance.
7. Victoria Police are the enforcement authority for the Road Rules and are the only authority that can issue infringements applicable to the use of these devices on footpaths. Council local law compliance officers do not have authority to enforce the rules and fine riders.
 8. Safe, clear and connected on-road facilities such as the separated bike lanes supports and encourages the use of bikes, motorbikes and e-scooters on-road rather than on footpaths.
 9. Council encourages all road users to comply with the Road Rules and be respectful of vulnerable road users.
 10. Council ensures road rule and safety information is the website including the Bike Law handbook and is communicated in correspondence with residents and during community bike riding courses and schools programs.
 11. Subject to physical and aesthetic constraints council looks to provide signage outlining the rules and regulations on footpaths. (Noting that signs can cause obstructions, clutter, become a hazard to users of the footpath and there is little research to support signage alone supports behaviour change.)

OFFICER RECOMMENDATION

That Council:

1. Thanks the petitioners for their concern and the information that they have sent to Council and notes this Council will seek to include this in the evaluation report for the trial of shared e-scooters.
2. Continues to clearly articulate to users and the community through Council platforms and programs the correct and safe riding behaviour.
3. Continues to advocate to the State Government for clear communication of the Road Rules in relation to the use of bikes, motorbikes and e-scooters on footpaths and other public spaces.
4. Continues to advocate to the State Government to introduce measures that ensure that e-scooters do not impinge the safety of vulnerable road users.
5. Works with shared e-scooter operators on improved communication to riders of shared devices to clearly articulate the rules for riding to address rider behaviour and safety concerns.
6. Supports a partnership with Victoria Police and Department Transport and Planning to promote education programs, surveillance, enforcement and compliance measures to improve road user behaviour and safety.
7. Provides a submission to the Victorian Legislative Assembly Economy and Infrastructure Committee’s current inquiry into the impact of road behaviours on the safety of vulnerable road users.
8. Will present final findings from the Victorian Government evaluation of e-scooters and recommendations for regulatory change to Council when available.

ATTACHMENTS

Nil