

ANNEX A – RELEASED INFORMATION

[REDACTED]

From: REDACTED <redacted@transport.gov.scot>

Sent: 31 July 2020 13:02

To: Cabinet Secretary for Transport, Infrastructure and Connectivity
<CabSecTIC@gov.scot>

Cc: Irvine A (Alison) <REDACTED@transport.gov.scot>; REDACTED
<REDACTED@transport.gov.scot>; Chief Executive Transport Scotland

<ceo@transport.gov.scot>; REDACTED 6 email addresses @transport.gov.scot

Subject: RE: DfT E-scooter trials - situation update: 31st July +Draft Letter for DfT

REDACTED/REDACTED

A draft letter is attached for Mr Matheson to consider as a reply to Grant Shapps at DfT on his letter regarding the e-scooter trials.

Salient points of update on the current situation follow:

- REDACTED
- Of the Scottish LAs known to be interested in hosting a trial, updates received earlier this week were:
 - [REDACTED] DfT's acceptance of this option seems unlikely, but GCC intend to consult directly with DfT on that.
 - Transport for Edinburgh and Midlothian are still reviewing options on suppliers, procurement etc. They have not confirmed an intention to apply formally to DfT to host a trial.
- On balance, it seems unlikely that any of the LAs above will decide to formally proceed with a trial within DfT's current timescale, but may instead look to future work in this area, based on emerging experience from the initial trials.
- Given the more complex legislative situation than initially thought for Scottish LAs, with consequent delays that seem to preclude Scottish participation in the trials, we will be updating all relevant councils with this information.

Regards ~ REDACTED

REDACTED

Transport Scotland
Sustainable & Active Travel Team

Landline: **REDACTED** (*divert set up to my home number*)

Mobile: **REDACTED**

Skype Calls Preferred

From: REDACTED
Sent: 30 July 2020 09:30
To: Cabinet Secretary for Transport, Infrastructure and Connectivity
<CabSecTIC@gov.scot>
Cc: Irvine A (Alison) <REDACTED@transport.gov.scot>; REDACTED
<REDACTED@transport.gov.scot>; Chief Executive Transport Scotland
<ceo@transport.gov.scot>; REDACTED 6 email addresses @transport.gov.scot
Subject: RE: DfT E-scooter trials - situation update: 16th July

REDACTED,

No draft letter has yet been submitted.
REDACTED

In the meantime, with no Scottish LAs having yet formally confirmed to run a trial, it may be that the need for short term regulatory action is not there. In which case, a longer term view can be taken on responding to any emerging DfT plans to legalise e-scooters, post-trials, from mid-2021.

REDACTED

REDACTED
Transport Scotland
Sustainable & Active Travel Team

Landline: **REDACTED** (*divert set up to my home number*)
Mobile: **REDACTED**
Skype Calls Preferred

From: REDACTED <REDACTED@transport.gov.scot>
Sent: 16 July 2020 14:49
To: Cabinet Secretary for Transport, Infrastructure and Connectivity
<CabSecTIC@gov.scot>
Cc: Irvine A (Alison) <REDACTED@transport.gov.scot>; REDACTED
<REDACTED@transport.gov.scot>; Chief Executive Transport Scotland
<ceo@transport.gov.scot>; REDACTED 6 email addresses @transport.gov.scot
Subject: DfT E-scooter trials - situation update: 16th July

REDACTED & REDACTED

This is just a quick update to advise:

- REDACTED
- No Scottish local authorities have formally confirmed yet, that they will be hosting e-scooter trials. We understand that DfT have set a deadline of end-August for any e-scooter trials running under this initiative to commence.

REDACTED

~ REDACTED

REDACTED

Transport Scotland
Sustainable & Active Travel Team

Landline: **REDACTED** (*divert set up to my home number*)
Mobile: **REDACTED**
Skype Calls Preferred

From: REDACTED <REDACTED@transport.gov.scot>

Sent: 09 July 2020 17:17

To: Cabinet Secretary for Transport, Infrastructure and Connectivity
<CabSecTIC@gov.scot>

Cc: Irvine A (Alison) <REDACTED@transport.gov.scot>; REDACTED
<REDACTED@transport.gov.scot>; Chief Executive Transport Scotland
<ceo@transport.gov.scot>; REDACTED 4 email addresses @transport.gov.scot

Subject: RE: Urgent: e-scooter trials in England

Hi REDACTED,

Further to the update provided last Friday, REDACTED. **A response to Grant Shapp's letter of 25 June is in progress and will be sent on to you next week.**

Kind regards,

REDACTED

REDACTED

Head of Standards
Roads Directorate
BlackBerry: REDACTED
transport.gov.scot

Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF



Transport Scotland, the national transport agency
Còmhdaill Alba, buidheann nàiseanta na còmhdaill

*Our logo may not display properly on some computer systems

REDACTED out of scope

From: REDACTED <REDACTED@transport.gov.scot>

Sent: 26 June 2020 18:30

To: Cabinet Secretary for Transport, Infrastructure and Connectivity
<CabSecTIC@gov.scot>

Cc: Irvine A (Alison) <REDACTED@transport.gov.scot>; REDACTED <REDACTED@transport.gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; REDACTED 4 email addresses @transport.gov.scot
Subject: RE: Urgent: e-scooter trials in England

REDACTED

Transport Scotland officials confirmed to DfT policy colleagues today that we are content with the proposed amendments to the Traffic Signs Regulations and General Directions, and as such, a formal response to the Secretary of State would not be provided today. They were content with this approach as an immediate response was only required if there were any concerns to be raised.

Colleagues within Transport Scotland are preparing a full response to the letter from the Secretary of State, which included several wider points which need to be addressed. This will be sent on to you early next week.

Kind regards,

REDACTED

From: REDACTED <REDACTED@gov.scot> **On Behalf Of** Cabinet Secretary for Transport, Infrastructure and Connectivity

Sent: 26 June 2020 18:17

To: REDACTED <REDACTED@transport.gov.scot>

Cc: Irvine A (Alison) <REDACTED@transport.gov.scot>; REDACTED <REDACTED@transport.gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>; REDACTED 4 email addresses @transport.gov.scot

Subject: Urgent: e-scooter trials in England

Importance: High

Hi REDACTED,

Can you please provide me with an update.

Many thanks

REDACTED

REDACTED | Private Secretary to Michael Matheson MSP, Cabinet Secretary for Transport, Infrastructure and Connectivity | The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG | Web: www.gov.scot | REDACTED | Email: CabSecTIC@gov.scot

From: REDACTED <REDACTED@transport.gov.scot>

Sent: 25 June 2020 17:59

To: REDACTED <REDACTED@gov.scot>

Cc: Irvine A (Alison) <REDACTED@transport.gov.scot>; REDACTED <REDACTED@transport.gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>; REDACTED 4 email addresses @transport.gov.scot
Subject: RE: Urgent: e-scooter trials in England

REDACTED,

The attached letter requires a response by Friday 26th June if we have any concerns regarding proposed amendments to the Traffic Signs Regulations and General Directions 2016. These amendments will not apply in Scotland, and as such I can confirm that Transport Scotland does not have any concerns regarding these proposals.

Colleagues within Transport Scotland are working on a full response to the letter which will be provided in due course.

Kind regards,

REDACTED

REDACTED

Head of Standards
Roads Directorate
BlackBerry: REDACTED
transport.gov.scot

Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF



Transport Scotland, the national transport agency
Còmhdaill Alba, buidheann nàiseanta na còmhdaill

*Our logo may not display properly on some computer systems

From: REDACTED <REDACTED@gov.scot> **On Behalf Of** Cabinet Secretary for Transport, Infrastructure and Connectivity

Sent: 25 June 2020 13:30

To: Irvine A (Alison) <REDACTED@transport.gov.scot>; REDACTED 2 email addresses @transport.gov.scot

Cc: Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>

Subject: Urgent: e-scooter trials in England

Importance: High

TS Colleagues,

Can you please have a look at attached letter. I have just had a call from G.Shapps office to confirm they are looking for a response by tomorrow as there ministers would like to lay a Statutory Instrument on Monday.

Can you please an urgent response for Cab Sec clearance

Many thanks

REDACTED

REDACTED | Private Secretary to Michael Matheson MSP, Cabinet Secretary for Transport, Infrastructure and Connectivity | The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG | Web: www.gov.scot | Tel: REDACTED | **Mob: REDACTED** | Email: CabSecTIC@gov.scot

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Deleted DUPLICATION OF DOCUMENT which is being released

From: REDACTED <REDACTED@transport.gov.scot>

Sent: 02 June 2020 11:43

To: REDACTED 4 email addresses @transport.gov.scot

Subject: RE: DfT E-scooter trials consultation & DAs - Legal input sought consultation deadline 2 June

Hi Both/REDACTED

Have you got an input you can give me from a safety perspective and do you want me to put to DfT separately or as part of a consultation response? List of consultation questions below so have a safety perspective. I'll also use what I got from SGLD which I've shared. When do you think you would be able to get something to me? Consultation closes today. Thanks REDACTED

1. E-scooter definition

Is the proposed e-scooter definition suitable for you?

- Yes
- No

Why?

2. Maximum speed limit

In your opinion the maximum permitted speed for e-scooter trials should be:

- 12.5 mph?
- 15.5 mph?

Why?

3. Maximum motor power

In your opinion should a maximum motor power be included in the definition?

- Yes
- No

Why?

In your opinion is the suggested limit of 350 Watts maximum motor power appropriate?

- Yes
- No

Why?

4. Regulatory changes

To what extent do you agree or disagree that, for the trials, we should change the regulatory requirements to:

- allow e-scooters to be used by any full licence holder?
- allow e-scooters to be used by any provisional licence holder?
- remove the requirement for a motorcycle helmet and instead recommending cycle helmets?
- allow e-scooters on roads (except motorways)?
- allow e-scooters in cycle lanes and tracks?
- exempt trial e-scooters from vehicle registration?
- exempt trial e-scooters from vehicle licensing?
- exempt trial e-scooter from vehicle type approval requirements?

Explain your choices.

REDACTED
REDACTED

*Transport Strategy and Analysis Directorate
Transport Scotland, Scottish Government*



We have now published NTS2: www.transport.gov.scot/NTS2

My working days /hours are:

REDACTED
REDACTED
REDACTED

REDACTED
REDACTED

transport.gov.scot

Please see our privacy policy to find out why we collect personal information and how we use it
Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

From: REDACTED <rEDACTED@transport.gov.scot>

Sent: 01 June 2020 14:23

To: REDACTED 6 email addresses @transport.gov.scot
Cc: REDACTED <REDACTED@transport.gov.scot>
Subject: RE: DfT E-scooter trials consultation & DAs - Legal input sought consultation deadline 2 June

Dear All,

In addition to the below and to support any TS formal response to DfT public consultation (led by REDACTED's team???), our ETSC network has passed this interesting research by the VIAS Institute on e-scooters where helmet wearing is highly recommended - [Trottinettes électriques: le casque d'une importance vitale](#)

The [research findings in English can be found here](#) [added address: <https://www.vias.be/publications/E-scooter%20accidents/E-scooter%20accidents.pdf>] and there is an interesting review of good practices covering 11 European countries.

Regards

REDACTED

From: REDACTED <REDACTED@transport.gov.scot>
Sent: 27 May 2020 15:49
To: REDACTED 4 email addresses @transport.gov.scot
Subject: RE: DfT E-scooter trials consultation & DAs - Legal input sought consultation deadline 2 June

Thanks REDACTED

REDACTED - this is the consultation date that I was asking you about this morning. I see it closes on 2nd June so we'll need to draft up our safety policy points to make sure it gets included (e.g. is there anything specific we would like the trial to address, or data we would like gathered?).

I see there are also some technical legal points being addressed below to enable a trial to progress.

Regards
REDACTED

From: REDACTED <REDACTED@transport.gov.scot>
Sent: 27 May 2020 15:13
To: REDACTED 3 email addresses @transport.gov.scot
Cc: REDACTED <REDACTED@transport.gov.scot>
Subject: DfT E-scooter trials consultation & DAs - Legal input sought consultation deadline 2 June

Dear all, for awareness.

You may have heard that Transport Secretary Grant Shapps announced on 9 May the UK will fast-track the trial of e-scooters: "It will be extended 'to every region that

wants them in a bid to get e-scooter rental schemes up and running in cities... taking some of the pressure off the bus network'.

DfT opened a [public consultation](#) on 18 May (until 2 June) seeking views on the proposed regulatory changes to allow e-scooter trials to begin. These changes will set the rules for e-scooters and their users.

The consultation asks about:

- a definition of an e-scooter and its physical design
- the maximum speed and power limits to be allowed in trials
- a range of rules for legal e-scooter use during trials

REDACTED

Regards

REDACTED

Cabinet Secretary for Transport, Infrastructure and
Connectivity
Michael Matheson MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0300 244 4000
E: scottish.ministers@gov.scot

The Rt. Hon. Grant Shapps MP
Secretary of State for Transport
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

July 2020

ELECTRIC SCOOTER TRIALS AND REGULATORY CHANGE

Thank you for your letter of 25th June regarding the UK Government's proposed trials of electric scooters and the regulatory changes required to enable these to take place.

My officials were in contact with yours on the 26th June to confirm that we had no issue with the specific point in your letter on the Traffic Signs Regulations and General Directions 2016 (TSRGD), since these amendments do not apply to Scotland. We were disappointed, however, not to have seen the full draft Statutory Instrument earlier, receiving only an extract of the SI, shared with Devolved Administrations on the 26 June. You have stated that your regulatory changes, which apply UK-wide will only, have practical effect where trials are taking place and have been engaging with Edinburgh and Glasgow City Councils following their interest. We remain supportive of Scottish local authorities exploring further with the DfT the practicalities of potential trials in Scotland, however, Scottish local authorities do not need prior approval from Scottish Government to do so, (since it would fall within the remit of their local transport function).

However, additional legislative changes will be required in Scotland for any local authority wishing to participate in an e-scooter trial. I understand the intention is that these trials will take place on cycle tracks, as well as cycle lanes. An amendment to the Roads (Scotland) Act 1984 would be required to allow e-scooters to be used on cycle tracks, in a trial or otherwise. In addition, similar amendments to those made to

TSRGD as it applies in England would require to be made for Scotland by way of Scottish Statutory Instrument. Therefore, it is important to ensure close engagement between DfT, Transport Scotland and any Scottish local authorities wishing to progress trials, to work through in full the steps required to enable them. It will not now be possible for any required Scottish legislative changes to be effected in time for our councils to be able to achieve the timescales for trials that DfT have set, particularly given the need for a change to the Roads (Scotland) Act 1984.

I understand the desire for swift action to set up the environment to enable trials - gaining practical experience and evidence about operating e-scooters in public spaces with their potential to support active and sustainable transport. However, I must express my dissatisfaction with the level of advance notification on the regulatory changes, particularly given the impact on Devolved Administrations, with the majority of those changes UK-wide but with Scottish legislative action also being required to enable our councils' participation. The lack of clarity and the short timescales on communications following DfT's recent consultation made it impossible for any required Scottish legislative changes to be brought forward prior to the Scottish Parliament's summer recess from 27 June. It will therefore not be possible for Scottish Government to bring forward the required legislative changes to meet the timetable set out by DfT for trials, giving the competing demands on the tight legislative timetable prior to the Dissolution of Parliament in 2021, and the need for a change to primary legislation in Scotland. However, we will continue to engage with Scottish local authorities interested in taking forward trials, to understand what may still be possible in Scotland, as I am sure you would agree that having a wide geographical spread of evidence is desirable

I hope that there will be future opportunities to work more closely on the development of policy on future micro-mobility options, given their potential as an important element in a sustainable and decarbonised future transport system.

Michael Matheson

E-Scooters

Transport Scotland response to the UK Government Consultation - 4 June 2020

<https://www.gov.uk/government/consultations/legalising-rental-e-scooter-trials-defining-e-scooters-and-rules-for-their-use>.

Introductory

As the popularity and prevalence of e-scooters and other forms of micro-mobility increases globally, we are keen to understand trends across a range of issues, including the road safety of both the user of the scooter and other road users.

We welcome the launch of the UK Government's public consultation on how to regulate e-scooters rental schemes and their forthcoming trials and we will continue to monitor the outcomes to help inform future policy based on the available evidence, including DfT's future evaluation of the trials.

There is a growing recognition of the need to tackle the volume of vehicles through measures to effectively manage demand and encourage more sustainable travel options and improve air quality; and also in the short term support promoting physical distancing. We welcome any policy development that supports embedding the Sustainable Travel Hierarchy by promoting walking, wheeling, cycling, public transport and shared transport options in preference to single occupancy private car use for the movement of people. It will be interesting, as part of the analysis that DfT undertakes to determine whether E-scooters are considered active travel or sustainable but not active in terms of whether they generally displace active travel rather than vehicles.

Regulatory aspects

We agree that broadly speaking the legislation that you have identified as being required to enable the trials is mostly reserved. However, the use of e-scooters on roads is potentially an area of devolved competence.

- Power to amend the Traffic Signs Regulations and General Directions 2016 (TSRGD) is devolved to Scottish Ministers. **Can we therefore have the same clarification as Wales on this point – to confirm if you are proposing legislation – to enable the use of E-scooters on roads and in cycle lanes and cycle tracks where possible - that would be within devolved competence of the Scottish Parliament, in which case it may be for the Scottish Ministers to take forward any necessary legislation, or to consent to legislation being taken forward in the UK Parliament.**
- With regard to use on cycle tracks – you have mentioned amending TSRGD in connection with achieving this. Section 21 of the RTS 1988 would prohibit them from being used on cycle lane and other cycle spaces however this provision does not apply in Scotland. **We**

would welcome clarification on how you intend to achieve this as during the trials e-scooters will continue to be classed as motor vehicles.

- Section 129 of the Roads (Scotland) Act 1984 provides that it is an offence for a person in a cycle track to drive or ride or propel a vehicle (other than a pedal vehicle). This provision does not apply if there is “a specific right to so drive, lead, ride or propel”. Therefore, in order for it to be lawful for an e-scooter to be ridden on a cycle track in Scotland there must be a specific right to do so created as it is a vehicle which is not a pedal cycle.
- Section 129(6) also creates an offence of parking a motor vehicle wholly or partly on a cycle track which might be relevant depending on where the pick-up and return points are to be located.
- The Scottish Ministers will have to consider whether the proposed legislation will be sufficient to provide an exception to an offence in section 129 of the Roads (Scotland) Act 1984 and if changes are required to legislation which is within their competence. Timescales are ambitious, even for consenting to UK wide legislation.

Practical Considerations

- **We welcome further clarity about the practicalities of how the trial areas will operate as that will impact on the various roads authorities, including Scottish Ministers for some trunk roads that may fall within rental scheme areas.**
- The consultations also suggested that local areas hosting trials would need to update traffic regulation orders to allow e-scooters in cycle lanes and tracks. That seems potentially a difficult task if the trial areas are sufficiently big and depending on the number of traffic regulation orders that might be involved. It also may be applicable to TRO's over trunk roads for which the Scottish Ministers are the trunk roads authority.

Consultation questions:

E-scooter definition

Is the proposed e-scooter definition suitable for you?

- Yes
- This seems to be using the known analogue of pedelec e-bikes (aside from the max speed for powered assistance – see below), as a basis. The definition is close to that of the International Transport Forum in their February 2020 “Safe Micromobility” Report: Type A micro-vehicles have a mass of up to 35kg and their power supply (if any) is electronically limited so the vehicle speed does not exceed 25km/h (15.5 mph). Many bicycles, e-bikes, e-scooters and self-balancing vehicles fall into this category

Maximum speed limit:

- 15.5
- Using the analogue of Consistency with max speed of electrically-assisted pedal cycles (EAPCs) pedelec e-bikes' limit of 15.5 mph (for powered assistance – not max speed of the vehicle) seems a sensible starting point. If however there were to be compelling evidence that e-scooters pose a higher risk than e-bikes (to riders/other road users) at 15.5mph, then a lower limit should be considered. Is

there an accepted reasoning for the 12.5mph limit imposed in other countries on e-scooters?

Maximum motor power

In your opinion should a maximum motor power be included in the definition?

- Yes
- This seems reasonable for restricting unsuitably powerful vehicles qualifying for the e-scooter dispensations on helmet requirements etc. Risk of having e-scooters motor power boosted to increase speed if no maximum motor power was mandated

Maximum

In your opinion is the suggested limit of 350 Watts maximum motor power appropriate?

- No informed technical view on this...but if the max motor power for pedelec e-bikes is 250W, is there good reason for e-scooters to have higher power?
- Rather than using Watts criteria, it would be better to state that e-scooter power supply is electronically limited so the e-scooter speed does not exceed 25km/h (15.5 mph)

Regulatory changes

To what extent do you agree or disagree that, for the trials, we should change the regulatory requirements to:

- **allow e-scooters to be used by any full licence holder? Yes.** Though this rule prevents parity with the treatment of pedelec e-bikes, as well as restricting the ability of under-16's to engage in the trials, from a pragmatic viewpoint of making the legislative change quicker and easier to allow swifter commencement of trials, then those downsides are probably acceptable. However in the longer term, it is worth reviewing whether it would be appropriate to remove this requirement.
- **allow e-scooters to be used by any provisional licence holder? Yes** See answer above re full licence requirement.
- **remove the requirement for a motorcycle helmet and instead recommending cycle helmets?** Qualified yes we consider that cycle helmets should be mandatory from a road safety perspective. Cycle helmets would give parity with the treatment of pedelec e-bikes.
- **allow e-scooters on roads (except motorways)? Yes** – this gives parity with the treatment of pedelec e-bikes. However if speed is limited to 12.5mph, this makes them slower than e-bikes and may cause more issues with overall traffic flow.
- **allow e-scooters in cycle lanes and tracks? Yes** – this would give parity with the treatment of pedelec e-bikes
- **exempt trial e-scooters from vehicle registration? Yes** – this gives parity with the treatment of pedelec e-bikes

- **exempt trial e-scooters from vehicle licensing? Yes** – this gives parity with the treatment of pedelec e-bikes
- exempt trial e-scooter from vehicle type approval requirements? Unsure of the implications of this requirement.

Further explanatory information /safety considerations

- The extreme popularity of e-scooters, particularly e-scooter sharing schemes, could be attributed to the fact they meet “a travel demand previously unmet: that of a population that does not feel confident enough to cycle and often lacks the skills to do so safely”. This is key for road safety, as it means there is a sudden group of “novice riders” that are suddenly engaging in the traffic environment, wherein they are not used to controlling vehicles and perceiving hazards. This is shown by some studies that find injuries are most likely to happen when an individual is on their first few e-scooter rides. This strengthens DfT proposal for e-scooter users to have a full or provisional driving licence. In addition E-scooter sharing companies should provide a great deal of training to assist those who are not familiar with riding as most e-scooters casualties happen for the novice riders (see VIAS research findings her - <https://www.vias.be/publications/E-scooter%20accidents/E-scooter%20accidents.pdf>) . The International Transport Forum in their February 2020 “Safe Micromobility” Report states that E-scooter helmet use is rare with an average of 4%, which can in part be attributed to the spontaneity of e-scooter sharing schemes – a much higher percentage of individuals who possess their own private e-scooter wear a helmet – one study found an increased wearing rate of 40%. Cross referencing these findings with the above VIAS research that found that none of e-scooters’ casualties admitted to A&E wore helmets makes wearing of helmets highly recommended if not mandatory to protect riders from injuries. The ITF reports found that road surface conditions seem to be a significant contributory factor in e-scooter crashes – studies show it to be a factor in up to half of accidents. So Transport Scotland would like that DfT proposal adds something about the road surface conditions where the trials will take place. In fact there needs to be a balance between infrastructure (including where the e-scooters are parked to avoid road space congestion/clutter), road user and vehicle safety when developing the proposed regulation. In terms of overall road safety, the ITF report states that we need to remain focussed on motor vehicles as a major source of danger, as this aligns with the safe system approach and motor vehicles are involved in the “overwhelming majority of fatal micromobility crashes, including e-scooters.”

REDACTED

REDACTED

Transport Scotland /Agency of the Scottish Government

005

REDACTED

From: REDACTED

Sent: 03 June 2020 17:47

To: REDACTED <REDACTED@dft.gov.uk>; REDACTED@gov.wales' <REDACTED@gov.wales>

Cc: REDACTED <REDACTED@dft.gov.uk>; REDACTED

<REDACTED@dft.gov.uk>; REDACTED <REDACTED@transport.gov.scot>

Subject: RE: E-scooter trials consultation & DAs

REDACTED/REDACTED

Please see attached draft response from Transport Scotland on E-scooters. I've included legislative points as well as answers to the consultation in the attached. Please note this is draft as I haven't yet had the time to check it back with contributors but wanted to get you something in the timescales.. Also given the nature of the similar comments to Wales in terms of clarification on areas of devolved areas of legislation we think it is more appropriate to give you this response direct as Government to Government engagement rather than as part of the consultation. Hope helpful, but could be the start of the need for significant engagement /further iterative work on these aspects.

As you are our are aware there is possible interest from Glasgow City Council They have no firm plans yet on how to take forward a trial, nor agreed budget. They have however put a discursive paper to its committee last week which was picked up in our media. <https://www.scotsman.com/news/transport/glasgow-scotland-first-move-trial-electric-scooters-2869730>. My colleague REDACTED has had initial discussions with GCC and will pass on REDACTED details for a discussion with Dft. They may be interested in any connections that you can give them with other LA's that are further down the road on scheme design. REDACTED. This links to our request for my clarity on practical considerations of how schemes would work in practise.

Thanks

REDACTED

REDACTED

REDACTED

Transport Strategy and Analysis Directorate

Transport Scotland, Scottish Government



We have now published NTS2: www.transport.gov.scot/NTS2

My working days /hours are:

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REDACTED
transport.gov.scot

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Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

From: REDACTED
Sent: 02 June 2020 17:17
To: REDACTED<REDACTED@dft.gov.uk>; REDACTED@gov.wales
Cc: REDACTED <REDACTED@dft.gov.uk>; REDACTED <REDACTED@dft.gov.uk>
Subject: RE: E-scooter trials consultation & DAs

REDACTED/REDACTED

Thank you for the discussion last week and thanks REDACTED for sharing your response. I will have something with you directly tomorrow rather than through the consultation form. We have similar issues to raise to REDACTED on the regulation side. I'll then look at whether we formalise that into a consultation response.

Thank

REDACTED
REDACTED
*Head of Strategy and Integration
Transport Strategy and Analysis Directorate
Transport Scotland, Scottish Government*



We have now published NTS2: www.transport.gov.scot/NTS2

My working days /hours are:

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Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

REDACTED

006

REDACTED

From: REDACTED <REDACTED@dft.gov.uk>
Sent: 26 May 2020 11:37
To: REDACTED <REDACTED@transport.gov.scot>; REDACTED@gov.wales
Cc: REDACTED <REDACTED@dft.gov.uk>; REDACTED <REDACTED@dft.gov.uk>
Subject: RE: E-scooter trials consultation & DAs

Hi REDACTED,

The slides are [here](#) [
https://mcusercontent.com/d1b8c943df1ad4fc892b0a186/files/5a95c0ac-f706-49ef-9d16-3ee8b8b870d9/Slides_for_E_scooter_Webinar_220520.pdf?utm_source=final+scooter+friday+22nd&utm_campaign=86de979fef-Bike+Share+Forum+4_COPY_02&utm_medium=email&utm_term=0_b2b16aa27c-86de979fef-365737641] and the recording is [here](#)
[https://register.gotowebinar.com/recording/1153595912310076944?utm_source=Scooter+meeting+friday+22nd&utm_campaign=86de979fef-Bike+Share+Forum+4_COPY_02&utm_medium=email&utm_term=0_bf93487526-86de979fef-&utm_source=final+scooter+friday+22nd&utm_campaign=86de979fef-Bike+Share+Forum+4_COPY_02&utm_medium=email&utm_term=0_b2b16aa27c-86de979fef-365737641]

Thanks,
REDACTED

REDACTED | Policy Advisor, Micromobility, Department for Transport
REDACTED | REDACTED |

From: REDACTED@transport.gov.scot <REDACTED@transport.gov.scot>
Sent: 26 May 2020 11:26
To: REDACTED <REDACTED@dft.gov.uk>; REDACTED@gov.wales
Cc: REDACTED <REDACTED@dft.gov.uk>; REDACTED <REDACTED@dft.gov.uk>
Subject: RE: E-scooter trials consultation & DAs

Thanks REDACTED/REDACTED

Can you share the link for the Webinar information that is still available?

Thanks

REDACTED

REDACTED

REDACTED

Transport Strategy and Analysis Directorate

Transport Scotland, Scottish Government



We have now published NTS2: www.transport.gov.scot/NTS2

My working days /hours are:

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

transport.gov.scot

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Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

REDACTED

We had hoped to give Cab Sec a full update on the situation this week, plus a draft letter to respond to Grant Shapps' letter of 25th June.

REDACTED

Salient points of update in the interim are:

- The request by DfT for a response to the letter by 26th June related only to a point regarding legal changes not applying to Scotland. We confirmed the position that no concerns were held and confirmed this to DfT within timescale.
- Without any deadline stated, DfT wish to know if SG are content for any Scottish LAs to take part in trials. We plan to recommend that Cab Sec signals no objection to any Scottish LA being included.
- Glasgow City Council and Transport for Edinburgh have both expressed recent concerns over:
 - Being able to find any additional funding required (unknown amounts until a detailed scheme is designed with a provider)
 - Being able to set up an agreement with a scooter provider, plus required systems and infrastructure, in the timescale required by DfT (which has never been fully confirmed)
- Progress is therefore uncertain and may not be compatible with DfT rules for the scheme. We have urged both parties to keep in communication with DfT over this.
- We understand that neither LA has yet formally confirmed participation. This makes the need for further legislative action uncertain, but are preparing to take action if and when required.
- A letter outlining this position; plus our understanding of the intentions of Edinburgh and Glasgow; and our intended path for Scottish legal amendments to enable trials will be drafted, once advice from REDACTED In line with Mr Matheson's direction, the draft letter will signal discontent with DfT's level of consultation and communication over the e-scooter trials issue.
- [REDACTED] This will balance the potential positives of their introduction as a new sustainable transport mode, with concerns over potential user safety and wider road safety issues – taking into account the views of all parties. A body of practical evidence and experience from the DfT trials will very much inform a future position and this is one of the key arguments for the trials taking place. We will press DfT on their commitment to a robust and thorough evaluation of the trials, to inform further potential legislative change.
- The latest press line issued 2 July (below) reflects this position:

" A Transport Scotland spokesperson said: "While we had been consulted and responded on proposed changes, this sudden decision

on the imminent introduction of e-scooters was taken by the UK Government alone and without informing the Scottish Government in advance. We are working urgently to understand what this means in terms of any relevant additional legislation or associated guidance that may be required in Scotland.

We note that as the popularity and prevalence of e-scooters and other forms of micro-mobility increases globally, roads authorities will be keen to understand trends across a range of issues, including the safety of both the user of the scooter and other road users.

We know some local authorities in Scotland have an interest in running trials and have been engaging directly with the Department for Transport – as the use of powered transporters is largely regulated by the DfT and decisions around their introduction and associated legislative changes are primarily a matter for the UK Government. We will continue to engage with local authorities to understand their intentions.”

REDACTED

REDACTED

Transport Scotland
Sustainable & Active Travel Team
Victoria Quay (2F-North)
Edinburgh, EH6 6QQ

(N.B. - CURRENTLY HOME-WORKING DUE TO COVID-19 MEASURES)

Landline: **REDACTED** (*divert set up to my home number*)
Mobile: **REDACTED**
Skype Calls Preferred

Handling of the E-Scooter Policy Topic TS Approach in Light of DfT trials [REDACTED]

Background

- E-Scooters are the most common form of personal, powered “micro-mobility” vehicles and their advocates believe they offer a lower cost, more sustainable alternative to larger, heavier forms of powered transport.
- There also exist concerns from a number of organisations and individuals that e-scooters pose significant dangers to both their riders and other users of public spaces where they are ridden.
- Evidence is inconclusive on either of the above points of view. A recent draft TS Paper for Ministers (“**Reducing car use in Scotland - key policy options**”) summarised that *“current evidence therefore suggests that micromobility, and specifically e-scooters, does not offer a straightforward solution to reducing car use and, if introduced as part of a package of policy interventions to reduce car use, careful consideration needs to be given to understand and manage its complex, and not always positive impact on other transport modes.”*
- The vehicles are currently effectively illegal to use in any public spaces, due to a number of UK-wide (reserved primary and secondary) and Scotland-specific (devolved primary and secondary) pieces of legislation. However e-scooters are legal to sell and own, with an increasing number in illegal use in Scotland – creating an issue for enforcement of the law.
- In summer 2020, DfT fast-tracked the minimal changes to UK-wide secondary legislation required to allow trials of rentable e-scooter schemes to take place. These were intended as a means to gathering evidence to inform the case for potential further legalisation, post-trials. Insufficient time was available to make required changes to Scottish law to allow trials to be hosted in Scotland, despite interest from some councils.
- If DfT propose legalisation of e-scooters through change to UK law, there will be pressure for Scottish Ministers to consider the subsequent Scottish approach – this is likely to require the need for amendment to both primary and secondary Scottish legislation
- [REDACTED]
- [REDACTED] No further substantive update on the trials has been received from DfT in intervening period.

Current Situation

- The e-scooter topic generates a steady stream of Ministerial and general email correspondence – expressing views both for and against legalisation. An FOI request for information on SG’s consideration of the topic has recently come to TS. LCED currently have a “caretaker role” for any e-scooter correspondence arising, though increasingly recent correspondence has focussed on safety aspects of e-scooter use - outwith our interests.
- E-scooter scheme operators regularly approach seeking information on any plans for their future use in Scotland.
- The DfT-sponsored e-scooter rental trials are ongoing in a number of English council areas. The expectation was for trials to last around one year with assessment of effects

conducted by DfT. Our understanding is that UK Ministers are keen to see a case for further legalisation, but evidence from trials is required for this.

- A public consultation on any proposals is expected in the second half of 2021.
- Suitable UK legislative vehicles would be required to enable legalisation and we understand that DfT officials have not yet identified these.
- Regardless of timing, SG Ministers may wish to be able to accommodate any UK Government legalisation timetable. [REDACTED]

Next Steps Required

- An update meeting with DfT policy team is overdue and should be booked ASAP to get a more accurate view on intended actions of UKG on legalisation, as well as likely timescales.
- Update meeting with CoMoUK – the organisation overseeing the trials for DfT
- Based on these and internal LCED Discussion - an Action Plan for future TS work on E-Scooters to be produced. To include:
 - Summary of wider key policy interests (LCED, Roads Legislation, Sustainable Travel, Road Safety)
 - DfT's anticipated scenarios / timescales
 - Mapping of key stakeholders (incl public, govt, industry, 3rd sector orgs)
 - Assignment of Key Tasks within TS and potential need for additional staff resource e.g. from graduate programme
- Once new SG administration is in place, an update sub to Cab Sec seeking approval for actions to be sent.

UPDATE Points:

- DfT
 - Saying that UK Ministers very keen to see as rapid progress on legalising e-scooters (possibly other micro-mobility too) – both for using transport pressures and opening up a new economic opportunity for a range of businesses. Pressure on policy & legal team to find a way to deliver.
 - REDACTED
 - REDACTED
- CoMoUK (supporting the trials for DfT) have flagged:
 - Need to tighter control on some aspects of trials to date – esp fraud on driving licences.
 - Police forces in England wishing for a nationwide position, but forces without trials not interested. (Police Scotland and BTP seem to be talking to each other now about position on future enforcement)
- Teething troubles (generally bad behaviour by riders) have seen at least two of the initial trials suspended or scaled back.
- Steady stream of reports, studies, articles and publications appearing – both UK and internationally, both citing benefits of e-scooters and negative: labelling them dangerous / not reducing car journeys / environmentally unsound.
 - Very little media / public attention to other e-micromobility devices (strangely)
- Still a steady stream of correspondence from public to TS / Ministers – equally for and against

=====
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Purpose of This Paper:

- TS Directors to be aware that the development of a clearer policy position on “e-scooters” is underway, in light of UK Government’s consideration of legalising these vehicles on roads and cycle tracks, supported by some limited trials around the UK using legislative changes that have not been possible to match in Scotland.
- Directors are also invited to consider the need for identified staff resource within TS, given the ongoing trials on e-scooters and likely further work as part of whatever DfT determine for legislative change after the trials. [REDACTED]
- [REDACTED]

Position Summary:

- E-Scooters are a form of single person, “stand-up-style” micro-mobility, electric zero emission vehicle.
- They are legal to sell in the UK, but generally not legal to ride on public roads, paths or any other public areas. However, widespread sales mean that increasing numbers are being ridden illegally in public spaces.
- Whilst they have potential as a more sustainable mode to displace car journeys, their use could also displace active travel or public transport choices. There are also concerns of potential road and rider safety issues, with a new type of vehicle in the wider transport mix.
- With the majority of relevant legislation reserved, UK Government was already undertaking a Future Mobility Regulatory review and expedited this to take urgent action during Covid lockdown (with minimal consultation of SG), to fast-track limited hireable e-scooter trials from July, to gain evidence and experience to inform possible further legalisation. No UKG funding support for trials set-up is on offer, only for evaluation.
- [REDACTED] The constraints effectively prevent those Scottish LAs with an interest from actively hosting trials (though none had fully confirmed an intention to pursue one). Some however (*Glasgow, Edinburgh, Argyll & Bute, Borders, and Midlothian*), are still interested in engaging with DfT and the trials authorities in order to learn more in preparation for possible future legalisation. DfT are amenable to this approach.
- Cab Sec was provided with an update on the situation in August, plus a letter to Grant Shapps (subsequently issued). The letter confirmed that SG had no issue with Scottish LAs being involved in trials, but that lack of consultation from DfT with devolved administrations had led to insufficient time for required legal changes. That position has not been publically confirmed yet.
- To date, TS have adopted a non-committal line on e-scooters, given their illegal status in real-world use. [REDACTED]

Decisions Required

- **REDACTED** – the key policy consideration centres around safety but impact on travel demand and other transport modes as well as public appetite for e-scooters are also relevant.
- **[REDACTED]**
- **Cab Sec is due a further update on the situation, following his letter sent in August to DfT, clarifying that we had legislative issues and expressing concern over lack of consultation with devolved administrations.**
[REDACTED]

Timing & Conclusion

- The first DfT-sanctioned trials commenced in Tees Valley authorities on 4th July, with Milton Keynes following, and a total of 35 schemes expected to be running (in England only) by mid-October. This trials phase is due to end in July 2021.
- DfT are undertaking an extensive evaluation and consultation of the trials (in parallel with operations), but are likely to take a fast-track approach to timing of any change options, partly due to political pressure to relieve congestion on Covid-constrained public transport options, stimulate a new market, and reduce levels of alternative car use.
- Regardless of timing, SG Ministers may wish to be able to accommodate any UK Government legalisation timetable. **[REDACTED]**

REDACTED
Sustainable & Active Travel, BAAT
3rd Sept 2020

Supporting Additional Information

- **Trials Background**

- Current DfT trials are limited to schemes approved between DfT and local authorities (where required legal framework is in place).
- Trials must feature hireable scooters only, used within in a designated geographic area, with scooters conforming to a technical standard – including a top speed of 15.5mph.
- Riders must have a full or provisional driving licence.
- Trials expected to last until summer 2021, when further change to the law on e-scooters will be considered.

- **Main Relevant E-Scooter Controlling Legislation:**

- Reserved: DfT enacted the “*Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020*”, which made changes to: the *Road Traffic Act 1988*; *Road Vehicles (Registration and Licensing) Regulations 2002*; the *Motor Cycles (Protective Helmets) Regulations 1998*; and the *Motor Vehicles (Driving Licences) Regulations 1999* on a UK basis, to allow trials to take place
- [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]

- **Potential as Sustainable Travel Mode**

Unclear: e-scooters like other electric micro-mobility vehicles, offer new zero-emission alternatives for personal transport that can replace some car journeys and avoid congestion. However, whilst they share some benefits of active travel modes, they are not active and certainly below walking and cycling in the sustainable travel hierarchy. They could also reduce bus/train patronage. Evidence from the DfT trials should help address these uncertainties.

- **Possible Risks**

There is disagreement across different reports as to whether e-scooters a significantly different risk (to riders and other space-users), when used on-road or on cycle tracks. Much anecdotal concern has focussed on riding on pavements, which is not in DfT’s scope for considering legalising. Again, evidence from the DfT trials should help address these uncertainties. Insurance of riders against these risks will be the responsibility for hiring companies during the trials

- **Further legalisation?**

DfT have a range of issues to consider in the scope of any proposed changes. Some key ones are: what types of areas are still restricted; technical standards; maximum speeds; insurance requirements; age restrictions; and helmet guidance/mandating.

We understand from officials that DfT Ministers are very keen on legalisation and so wish to see evidence and options presented within the 12-month period of the trials (so Q1/2 2021). DfT are also faced with the need for amendment of UK primary legislation for fuller legalisation and so require a suitable UK Parliamentary vehicle for this – which will be a major factor in the timeline for any legalisation. DfT may extend any successful trial schemes running time, in order to avoid suspension of operations until legislative change.

- **Interests across several TS Teams**

Roads; Road Safety; Transport Strategy; Sustainable and Active Travel; MaaS.

- **Stakeholder views:**

There is no clear consensus amongst stakeholders on the relative pros and cons of e-scooter legalisation, with different organisations choosing to focus on a particular aspect, e.g. modal shift questions, possible safety issues, or increased low-footprint mobility options. Police Scotland and Scotrail are examples of Scottish stakeholders who are keen to think through guidance on dealing with e-scooters –as they become more common in current illegal use, as well as in advance of possible legalisation.

- **Worldwide:**

E-scooters are already legal to use in a number of countries worldwide, with varying views on the experience. It is widely accepted that issues have arisen in many cases due to inadequate planning and regulation of the vehicles in advance of their introduction.

- **Current Lines on E-scooters:**

TS Comms General Line

“As the popularity and prevalence of e-scooters and other forms of micro-mobility increases globally, we are keen to understand trends across a range of issues, including the safety of both the user of the scooter and other road users. We will continue to monitor trends as a matter of course in order to inform future policy”

TS Comms Lines Issued in Response to Media Queries about Lack of Trials in Scotland

“The sudden decision on the imminent introduction of e-scooters was taken by the UK Government alone and without informing the Scottish Government in advance.

“Whilst the use of powered transporters and decisions around their introduction and associated legislative changes are primarily a matter for the UK Government, it is now clear that additional legislation and associated guidance would be required in Scotland to allow trials to take place.

“This was not factored in to the timescale set by the Department for Transport, and as a result Scottish local authorities are unlikely to be able to participate in the initial trials. Transport Scotland and officials from interested Scottish local authorities continue to engage with the DfT over options for participation in the longer term. “

From: REDACTED
Sent: 12 May 2020 16:29
To: REDACTED <REDACTED@transport.gov.scot>
Cc: REDACTED (ECON) <REDACTED@transport.gov.scot>
Subject: electric scooters

Hi REDACTED

As discussed

What is the problem?

The UK government is accelerating trials of electric scooters. While SoS Transport is the sole approver for electric scooter trial schemes; Local Government is a devolved matter. Each time UKG moves on this issue, there is an expectation for us to act or have a policy position.

[REDACTED]

Some Councils may pressure TS for funding/support/statement of policy position on driving adoption of electric scooters. This was announced by SoS 2 days ago – to address specific concerns of public transport passengers contracting COVID due to inability to maintain physical distancing. We were not given prior notice of UKG intentions to bring this forward (to my knowledge). I cannot find any information on whether Councils are expected to contribute funding towards these trials.

<https://www.gov.uk/government/news/2-billion-package-to-create-new-era-for-cycling-and-walking>

NB – The trials are for rented electric scooters only

REDACTED

REDACTED

ECONOMY & SUPPLY CHAIN POLICY MANAGER

Transport Scotland | Buchanan House | 58 Port Dundas Road | Glasgow | G4 0HF | 

REDACTED



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015

From: REDACTED <REDACTED@transport.gov.scot>

Sent: 10 June 2020 17:25

To: Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>

Cc: Murdoch L (Laura) (TRANS) <REDACTED@transport.gov.scot>; REDACTED 11 email addresses @transport.gov.scot and 2 email addresses @gov.scot Transport Scotland Directors <DLECONPTSD@transport.gov.scot>

Subject: Current live issues on E-Scooters: info-summary for Cab Sec

REDACTED et al,

We were made aware yesterday that Mr Matheson is looking for some current background information on e-scooters.

The note below gives a short summary. Please contact me if any further specific information is required.

regards ~REDACTED

REDACTED

Transport Scotland
Sustainable & Active Travel Team

Landline: REDACTED

Mobile: REDACTED

E-Scooters – Legality, Potential, Trials and Legislative Change: Summary information as at 10th June 2020

REDACTED

POTENTIAL WITHIN SUSTAINABLE TRAVEL HIERARCHY

- E-Scooters have a similar potential to E-bikes in offering a new travel mode for short journeys,
- Evidence of use-patterns is limited. Whilst potentially displacing car/taxi journeys for those that have not yet considered, or are unable to use, fully active travel modes; there could also be potential for displacing active or public transport choices.
- **Pros** – low cost and weight (even compared to e-bikes), low embedded carbon footprint; small physical footprint from congestion-viewpoint; some limited active travel benefits; (where legal to use) they can be easily accessible through purchase or hire schemes (without added barriers of insurance, licence, training etc); no specialised charging infrastructure required (as in case fo car/van EVs)
- **Cons** – limited range batteries; little active travel benefits (compared to cycling/walking); uncertain evidence to date on road safety aspects

DfT TRIALS

- DfT planned (pre-COVID19) to run 4 trial towns demonstrating & testing new micromobility solutions. With the post-COVID19 pressure on public transport and desire to avoid large increase in car use, DfT is now opening up option to run trials to all local authority areas in UK

- DfT have run a rapid consultation on the scope of the trials and are due to announce intentions shortly.
- The expected scope will be:
 - Initial trails starting as early as end-June/July
 - Only hire e-scooters included (not private ones)
 - Riders will require full or provisional driving licence
 - Helmets & registration not required
 - Insurance arranged by hire companies
 - Trials “window” expected to be 1 year, though this may mean differing lengths across trial areas
 - Monitoring/Analysis of results to be carried out in-house by DfT analytical team
 - Required secondary legislation is expected to be fast tracked to allow certain aspects of the trials

SCOTTISH INTEREST

- Glasgow City Council (GCC) officers proposed hosting a trial – this attracted national media attention (via a leaked internal paper), despite the proposal not having gone to Committee. [REDACTED]
- Other local authorities are also currently considering hosting trials.
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

INDUSTRY INTEREST

- A number of e-scooter manufacturers and hire-service companies have been in contact with TS, also GCC and other local authorities to promote their products and services, as well as lobbying for Scottish trials. LAs are free to investigate these organisations as possibilities for future trials/schemes. TS are not engaging directly with any companies at present, rather keeping abreast of the development of the market, whilst the legal position develops..

LEGISLATIVE CHANGE?

- Using learning from the trials, further legislative change is expected to be enacted by DfT to allow wider use of E-Scooters. Some points to be decided include:
 - Will driving licence requirement be removed?
 - Mandatory or voluntary helmet position?
 - Insurance requirements?
 - Registration requirement to be removed?
 - Will privately-owned vehicles be legal?
 - What will be required for any speed restriction?
 - Which areas will e-scooters be legal on? (roads / pavements / cycle paths)

CORRESPONDENCE

- Correspondence on this issue through various channels has increased in recent weeks.
- We answered a Ministerial correspondence case this week from the PureElectric company regarding their “RoadRunner” e-scooter – which is in legal terms, more akin to an electric moped than the standard e-scooter definition. We believe this letter has gone out across a wide range of our stakeholder organisations, including local authorities. We responded to it with the points below

- Legislation covering the use of e-scooters is largely reserved to the UK Government, with the vehicles under the current standard definition, not legal for use other than on private land with permission.
- We are keen to understand trends across a range of issues, including the safety of both users of e-scooters and other road users. We will continue to monitor trends and developments in this area – including the recently-announced limited DfT trials of rental e-scooters - in order to inform future policy. Legislative changes by being considered by DfT in this area may greatly affect the policy landscape.
- In the meantime of course, suitably licenced, trained, insured and equipped riders are free to use the RoadRunner on Scotland's roads, as elsewhere in the UK, in line with other electric or petrol 2-wheelers in that legal classification of vehicles.
- We wish the company success with their new product line.

From: REDACTED
Sent: 09 June 2020 09:35
To: REDACTED <REDACTED@parliament.scot>
Cc: Transport Scotland Secretariat <TSS@transport.gov.scot>
Subject: RE: Enquiry from Scottish Parliament

Dear REDACTED / SPICe

E-scooters which you refer to in your email are currently not legal for use in the UK anywhere other than on private land with the land owner's consent. The law relating to this is reserved to the UK Government and the Department for Transport (DfT) can be contacted via this link:

<https://www.gov.uk/government/organisations/department-for-transport>

We are aware of the Department for Transport consultation seeking views on the proposed regulatory changes to allow e-scooter trials to begin. In response to the question on whether this extends to Scotland we understand that the DfT is intending that the regulatory changes will enable trials in the UK. We will continue to engage with the DfT.

As the popularity and prevalence of e-scooters and other forms of micro-mobility increases globally, the Scottish Government is keen to understand trends across a range of issues, including the potential to support active travel and the safety of both the user of the E-scooters and other road users.

You will find further information regarding e-scooters below –

<https://www.gov.uk/government/consultations/legalising-rental-e-scooter-trials-defining-e-scooters-and-rules-for-their-use>

Thanks

REDACTED

REDACTED

REDACTED

Transport Strategy and Analysis Directorate

Transport Scotland, Scottish Government



We have now published NTS2: www.transport.gov.scot/NTS2

REDACTED

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Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

From: Transport Scotland Secretariat <TSS@transport.gov.scot>
Sent: 28 May 2020 11:29
To: REDACTED <REDACTED@transport.gov.scot>
Cc: Transport Scotland Secretariat <TSS@transport.gov.scot>
Subject: FW: Enquiry from Scottish Parliament

REDACTED

Please see Spice enquiry below. Do you know who could answer this?

- The enquirer asks whether there are any plans to encourage/legalise the use of e-scooters in Scotland?

Regards
REDACTED

REDACTED
Transport Scotland Secretariat
T: REDACTED
REDACTED@transport.gov.scot

Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF



Transport Scotland, the national transport agency
Còmhdhail Alba, buidheann nàiseanta na còmhdhail

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From: Central Enquiry Unit <CEU@gov.scot>
Sent: 28 May 2020 11:03
To: Transport Scotland Secretariat <TSS@transport.gov.scot>
Subject: Enquiry from Scottish Parliament

Good morning

The email enquiry below was received at the Central Enquiry Unit today.

I would be grateful if you would deal with this or forward it to the appropriate person / area of business.

You may wish to acknowledge receipt of this email to the enquirer.

Many thanks,

REDACTED
Central Enquiry Unit
Ext: REDACTED

REDACTED | Enquiry Officer | iTECS: Central Enquiry Unit | Digital Directorate |
Scottish Government | Ext: REDACTED | Tel: REDACTED

Reminder: If this email contains a request for information please remember that the Scottish Government is required to respond to all requests for information including e-mails, within 20 working days of receipt in accordance with the Freedom of Information (Scotland) Act. Please refer to the FOI Guidance. All FOI requests received must be registered on the FOI Tracker.

All FOI responses where information is released must be emailed to the FOI Unit immediately after issue, with 'FOI/EIRs TO PUBLISH' in the subject line

From: REDACTED <REDACTED@parliament.scot>
Sent: 28 May 2020 10:57
To: Transport Scotland Info <info@transport.gov.scot>
Subject: Enquiry from Scottish Parliament

Good morning,

I am contacting you from the Information Centre in the Scottish Parliament where we deal with enquiries from MSPs and their staff. I have received an enquiry and would be grateful for your assistance.

The enquirer asks whether there are any plans to encourage/legalise the use of e-scooters in Scotland?

They note the following fund is being set up to encourage the use of bikes/scooters/walking etc post-COVID, and ask if this fund will extend to Scotland or whether there are plans to introduce something similar in Scotland:

<https://inews.co.uk/news/environment/e-scooters-to-be-fast-tracked-as-britons-are-urged-not-to-overwhelm-public-transport-2848021>

I would be grateful for a response by the end of next Friday 5 June.

Thank you in advance

REDACTED
SPICe

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Pàrlamaid na h-Alba: A' toirt deagh bhuaidh air beatha sluagh na h-Alba

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030

From: REDACTED <REDACTED@glasgow.gov.uk>
Sent: 01 June 2020 12:36
To: REDACTED <REDACTED@transport.gov.scot>
Subject: RE: E-scooter trials in Scotland (OFFICIAL)

OFFICIAL

REDACTED

Happy to discuss, our Committee Report was on the basis that we could ask TS and DfT if we could be involved in the trial, but obviously when the press picked up the Committee Paper they have made an article out of it.

Apologies for you hearing about it this way.

Regards

REDACTED
REDACTED
Phone REDACTED
Mobile REDACTED
Email REDACTED@glasgow.gov.uk



Wash your hands.



Use a tissue for coughs and sneezes.



Avoid touching your face.

www.nhsinform.scot/coronavirus

From: REDACTED@transport.gov.scot [mailto:REDACTED@transport.gov.scot]
Sent: 01 June 2020 12:32
To: REDACTED@transport.gov.scot; REDACTED <REDACTED@glasgow.gov.uk>
Subject: E-scooter trials in Scotland

REDACTED – thanks for REDACTED email address.

REDACTED – would you have any time later today or tomorrow for a quick chat about the e-scooter issue and GCC's plans to participate in the DfT trial scheme? It would be really helpful for us at TS to understand what'd going on, and how we might be involved in future. We are already in the process of engaging with DfT on the wider issues, along with the other devolved governments
If you let me know when suits, I can call or Skype you? I'm free after 4pm today, and fairly flexible on Tuesday.

Best wishes ~ REDACTED

REDACTED
Transport Scotland
REDACTED
REDACTED
Victoria Quay (2F-North)
Edinburgh, EH6 6QQ

(N.B. - CURRENTLY HOME-WORKING DUE TO COVID-19 MEASURES)

Landline: **REDACTED** (*divert set up to my home number*)
Mobile: **REDACTED**
Skype Calls Preferred

REDACTED@transport.gov.scot



Scottish Government's National Transport Agency

From: REDACTED <REDACTED@transport.gov.scot>
Sent: 01 June 2020 12:25
To: REDACTED <REDACTED@transport.gov.scot>
Cc: REDACTED <REDACTED@glasgow.gov.uk>
Subject: RE: Ginger & e-scooter trials in Scotland

Hi REDACTED – sorry but don't have a phone number
REDACTED <REDACTED@glasgow.gov.uk>

REDACTED

Preferred contact by Skype, or REDACTED

From: REDACTED <REDACTED@transport.gov.scot>
Sent: 01 June 2020 12:23
To: REDACTED <REDACTED@transport.gov.scot>
Cc: REDACTED <REDACTED@transport.gov.scot>; REDACTED <REDACTED@transport.gov.scot>
Subject: RE: Ginger & e-scooter trials in Scotland

Hi REDACTED

Good timing! REDACTED (CC'd) and I are getting drawn in to this issue with the GCC announcement at weekend and I just said 5 mins ago that we might see some commercial operations emerge that are keen to get in there early.... What else they might have to offer on the £-front will be interesting... I'm going to be speaking to Glasgow shortly I hope. So will bear in mind REDACTED as a contact.

cheers ~ **REDACTED**

REDACTED

From: REDACTED <REDACTED@transport.gov.scot>

Sent: 01 June 2020 11:57

To: REDACTED <REDACTED@transport.gov.scot>; REDACTED <REDACTED@transport.gov.scot>

Subject: FW: Ginger & e-scooter trials in Scotland

Morning REDACTED and REDACTED

Hope you're both well and that you've enjoyed the lovely weather over the weekend.

Thought you both may be interested in the email below from REDACTED at Ginger. REDACTED, you may recall we spoke with REDACTED some time ago and it seems that the company has developed somewhat since then - clearly still keen to get a foothold in the Scottish market.

I mentioned to REDACTED that I would forward the email on to colleagues - if of interest to you, feel free to give him a call, or drop him a line.

Best,

REDACTED

REDACTED
REDACTED

Low Carbon Economy

Transport Scotland

Victoria Quay | Edinburgh | EH6 6QQ

E: REDACTED@transport.gov.scot

T: REDACTED



Transport Scotland, the national transport agency
Còmhdaill Alba, buidheann nàiseanta na còmhdaill



www.nhsinform.scot/coronavirus

[REDACTED]

[REDACTED]

The regulations will apply in Great Britain, though will only have practical effect where trials are taking place. Local authorities who wish to host trials are being asked to develop plans and seek DfT agreement. Edinburgh and Glasgow City Councils have registered interest, but we will only approve trials if this has the agreement of the Scottish Government.

[REDACTED]

I wish specifically to bring to your attention amendments being made to the Traffic Signs Regulations and General Directions 2016, as per the consultation requirement under sections 65(3ZB) and 134(3A) of the Road Traffic Regulation Act 1984.

The amendments being made are to signs and directions that relate to England only, to clarify that signs which represent pedal cycles, now represent electric scooters. Further, amendments have been made to the definitions section, including that for a 'cycle lane' which has been updated to permit electric scooters to use this particular type of road space.

The changes will only have effect in local traffic authorities in England who choose to also amend traffic regulation orders they already have in place, to reflect the changes made in the legislation, if they wish to permit electric scooters to share the road spaces set aside for pedal cycles. The legal amendments make this possible.

Policy officials in Westminster have liaised extensively with the traffic departments of each devolved authority concerning the amendments planned to enable this electric scooter trials.

Please let us know urgently – by Friday 26 June - if you have any concerns regarding the proposed amendments.

From: Murdoch L (Laura) (TRANS) <REDACTED@transport.gov.scot>
Sent: 25 June 2020 14:04
To: REDACTED <REDACTED@gov.scot>
Cc: REDACTED <REDACTED@transport.gov.scot>; Irvine A (Alison) <REDACTED@transport.gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; REDACTED <REDACTED@transport.gov.scot>
Subject: FW: Urgent: e-scooter trials in England
Importance: High

REDACTED

Grateful if you could pick up and respond urgently.

Many thanks

Laura

From: Brannen R (Roy) <REDACTED@transport.gov.scot> **On Behalf Of** Chief Executive Transport Scotland
Sent: 25 June 2020 14:01
To: Irvine A (Alison) <REDACTED@transport.gov.scot>; Murdoch L (Laura) (TRANS) <REDACTED@transport.gov.scot>
Subject: FW: Urgent: e-scooter trials in England
Importance: High

Roy Brannen
Chief Executive

Chief Executive Office | Transport Scotland
T: REDACTED
Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Transport Scotland, the national transport agency
Còmhdhail Alba, buidheann nàiseanta na còmhdhail

REDACTED – OUT OF SCOPE.

From: REDACTED <REDACTED@gov.scot> **On Behalf Of** Cabinet Secretary for Transport, Infrastructure and Connectivity
Sent: 25 June 2020 13:30
To: REDACTED 3 addresses @transport.gov.scot
Cc: Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>
Subject: Urgent: e-scooter trials in England
Importance: High

TS Colleagues,

Can you please have a look at attached letter. I have just had a call from G.Shapps office to confirm they are looking for a response by tomorrow as there ministers would like to lay a Statutory Instrument on Monday.

Can you please an urgent response for Cab Sec clearance

Many thanks

REDACTED

REDACTED | REDACTED | The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG | Web: www.gov.scot | Tel: REDACTED | **Mob: REDACTED** | Email: CabSecTIC@gov.scot

REDACTED – out of scope

From: REDACTED <REDACTED@dft.gov.uk>
Sent: 25 June 2020 12:58
To: Cabinet Secretary for Transport, Infrastructure and Connectivity
<CabSecTIC@gov.scot>
Subject: Urgent: e-scooter trials in England
Importance: High

Good afternoon REDACTED

Please see attached a letter from the Transport Secretary to Michael Matheson on E-scooter trials.

I will try and call this afternoon to follow this up and explain in more detail but essentially our ministers would like to lay a Statutory Instrument on Monday/Tuesday but before they do they have a requirement to check that their counterparts in Scotland and Wales have no concerns.

I understand that policy leads here have been engaging closely with REDACTED in your Transport Strategy team and they have not flagged there are likely to be any concerns but I wanted to check.

With profuse apologies for the lack of notice, a response tomorrow confirming if the Scottish Government does or does not have any concerns would be incredibly helpful. A phone call from you would be fine!

Kind regards,

REDACTED

 Department for Transport

REDACTED
REDACTED
5/13, Great Minster House
33 Horseferry Road, London, SW1P 4DR
REDACTED
[Follow us on twitter @transportgovuk](#)

Post to: Great Minster Hse, 33 Horseferry Rd, London, SW1P 4DR

[REDACTED]

Department for Transport Logo

From the Secretary of State
The Rt Hon. Grant Shapps
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Tel: 0300 330 300
E-Mail: grant.shapps@dft.gov.uk
Web site: www.gov.uk/dft
25 Jun 2020

Michael Matheson MSP
Cabinet Secretary for Transport, Infrastructure and Connectivity,
Scottish Government

Dear Michael

Electric Scooter Trials Regulations

I am writing to inform you about regulations the Government will soon introduce to enable trials of electric scooters. The Department recently consulted on proposals and I want to thank you for the response from the Scottish Government.

I wish specifically to bring your attention to amendments being made to the Traffic Signs Regulations and General Directions 2016, as per the consultation requirement under sections 65(3ZB) and 134(3A) of the Road Traffic Regulation Act 1984.

The amendments being made are to signs and directions that relate to England only, to clarify that signs which represent pedal cycles, now represent electric scooters. Further, amendments have been made to the definitions section, including that for a 'cycle lane' which has been updated to permit electric scooters to use this particular type of road space.

The changes will only have effect in local traffic authorities in England who choose to also amend traffic regulation orders they already have in place, to reflect the changes in the legislation, if they wish to permit electric scooters to share the road spaces set aside for pedal cycles. The legal amendments make this possible.

Policy officials in Westminster have liaised extensively with the traffic departments of each devolved authority concerning the amendments planned to enable this electric scooter trials.

Please let us know urgently – by Friday 26 June – if you have any concerns regarding the proposed amendments.

The Department is running a regulatory review as part of its Future of Transport programme. This includes, among other workstreams, whether e-scooters and similar small, electric vehicles should be legalised and what rules should apply to them. There is limited data available on the impacts that these vehicles would have on the road, so we plan to run trials to gather evidence and inform the future policy.

Trials will assess the safety of e-scooters for their users and other road user groups, whether their potential benefits can be realised, and identify other road impacts which should be addressed through future legislation.

As a COVID response, e-scooter trials will provide an additional form of transport that allows for social distancing and be part of our green recovery for transport.

E-scooters are effectively illegal on the road as they are categorised as 'motor vehicles' in law, but cannot comply with many of the requirements that apply to motor vehicles. Regulations amending these existing requirements, alongside administrative orders authorising specific vehicles, will allow trials to begin as per my commitment of 9 May.

Trials will be of rental e-scooters only, expected to run for 12 months, in local areas around the country. Privately owned e-scooters will remain illegal for the period of the trial, so that robust evidence can be gathered in a controlled manner.

The regulations amend the existing legislation to treat e-scooters largely like cycles and e-bikes. The scooters will be subject to a maximum speed of 15.5 mph will be permitted in cycle lanes and tracks, and will be exempted from vehicle registration and licensing. Potential users will be expanded to include anyone with a full or provisional licence, therefore a minimum age of 16 years old. Cycle helmets will be recommended, but will not be mandatory.

The regulations will apply in Great Britain, though will only have practical effect where trials are taking place. Local authorities who wish to host trials are being asked to develop plans and seek DfT agreement. Edinburgh and Glasgow City Councils have registered interest, but we will only approve trials if this has the agreement of the Scottish Government.

My officials will continue to engage with officials in the Scottish Government as trial plans develop and e-scooters are introduced on the road.

SIGNATURE

Rt Hon Grant Shapps MP

SECRETARY OF STATE FOR TRANSPORT

From: REDACTED <REDACTED@transport.gov.scot>
Sent: 30 September 2020 17:45
To: eight email addresses @transport.gov.scot.
Cc: Press Transport Scotland <media@transport.gov.scot>
Subject: RE: Electric scooters - Scotsman

Hi,

Widening copylist on this, given the time.

Just wondering if the below article by Alastair Dalton changes/affects our lines on electric scooters? We may be approached.

<https://www.scotsman.com/news/transport/scotlands-first-electric-scooter-hire-scheme-glasgow-recommended-approval-2988677>

Existing lines are:

A Transport Scotland spokesman said:

“The sudden decision on the imminent introduction of e-scooters was taken by the UK Government alone and without informing the Scottish Government in advance.

“Whilst the use of powered transporters and decisions around their introduction and associated legislative changes are primarily a matter for the UK Government, it is now clear that additional legislation and associated guidance would be required in Scotland to allow trials to take place.

“This was not factored in to the timescale set by the Department for Transport, and as a result Scottish local authorities are unlikely to be able to participate in the initial trials. Transport Scotland and officials from interested Scottish local authorities continue to engage with the DfT over options for participation in the longer term.”

thanks,
REDACTED

REDACTED | Senior Communications Manager | Transport Scotland | WFH: REDACTED