



Parliament of
South Australia

**REPORT
OF THE
SELECT COMMITTEE
ON
PUBLIC AND ACTIVE TRANSPORT**

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SELECT COMMITTEE ON PUBLIC AND ACTIVE TRANSPORT

The Select Committee on Public and Active Transport ('the Committee') is a Parliamentary Committee.

Members of the Committee

Hon. R. A. Simms MLC (Chair)

Hon. N. J. Centofanti MLC (appointed 19 October 2022)

Hon. J. E. Hanson MLC

Hon. D.G.E. Hood MLC (resigned 19 October 2022)

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EXECUTIVE SUMMARY

On 1 June 2022, a Select Committee of the Legislative Council (the Committee) was established to inquire into and report on Public and Active Transport in South Australia (the Inquiry).

Submitters were concerned about a decline in services of public transport in metropolitan areas and the lack of public transport, particularly accessible transport, in regional areas. The community expects safe, integrated and connected journeys, and current public transport services are not meeting those expectations. The community also highlighted the underspend in regional areas for public transport services.

Reactivation of rail in regional areas for freight and passenger services was well supported by submitters.

Submitters also highlighted the community health and wellbeing and environmental benefits of active forms of travel. Concerns were expressed about the safety of cyclists and witnesses believed that measures to improve safety while cycling, such as the installation of hard separation and street calming measures, would also increase patronage of active travel.

The Committee heard that e-scooters are likely to become increasingly relied upon as a form of travel but was concerned that liability and accountability of e-scooter companies is a complex issue.

The Committee was also concerned to hear that the community felt that state government prioritised car travel over other modes of transport, and that state investment was biased towards building roads.

Finally, the Committee heard evidence that leases/ licences between state government and private industry for intrastate rail were being breached and required further investigation.

The Committee made 13 recommendations.

RECOMMENDATIONS

After carefully considering the evidence, the Committee makes the following recommendations:

Recommendation 1:

The Committee recommends that state government reviews its policies and processes to ensure that public transport services and infrastructure improve with regard to:

- a) Increasing the frequency of buses in metropolitan Adelaide and in regional centres;
- b) Better bus connectivity between metropolitan suburbs, and especially between regional centres ensuring that regional communities have access to health services;
- c) Better integration of different modes of transport, taking advantage of the opportunities that technological advances offer;
- d) Fair and equitable fares that are easy to understand and implement, and particularly simplifying eligibility criteria for concessions;
- e) Accessibility for people with disabilities; and
- f) Safety conditions and amenities of bus and train stops.

Recommendation 2:

The Committee recommends that state government, as a high priority, conducts a trial of passenger train services from Mt Barker to Adelaide, with a view to adopting similar trials of services from Roseworthy to Gawler, Aldinga to Seaford and Adelaide to Port Augusta.

Recommendation 3:

The Committee recommends that state government:

- a) considers reactivation of regional rail for freight (particularly grain) and passenger services;
- b) in regards to regional rail, considers the environmental, health and wellbeing benefits of rail versus road; and
- c) reports on expenditure on public transport in regional versus metropolitan areas per capita.

Recommendation 4:

The Committee recommends the state government:

- a) incentivises passenger rail between Adelaide and Melbourne stopping at regional towns in South Australia;
- b) prepares the case for a northern rail bypass, considering the impact of heavy trucks on roads; and
- c) makes the changes required to freight rail services to allow double stacking of freight between Adelaide, Melbourne and Perth.

Recommendation 5:

The Committee recommends that state government should review and develop:

- a) targets for increasing patronage of active travel, and action or implementation plans to ensure those targets are met;
- b) regular monitoring and reporting on targets for increasing patronage of active travel; and
- c) specific strategies focussed on safety of cyclists and pedestrians.

Recommendation 6:

The Committee recommends that state government (in collaboration with local government and other stakeholders):

- a) conducts trials of (hard) separated bike infrastructure on some metropolitan and/or regional roads;
- b) conducts trials of traffic calming measures (including speed limit reductions) to improve safety for pedestrians and cyclists; and
- c) commences planning for a state-wide, integrated, separated cycling network.

Recommendation 7:

The Committee recommends that state government, in collaboration with local government and other stakeholders:

- a) legislates to enable use of privately owned e-scooters and other e-personal mobility devices in public spaces, in line with other state jurisdictions;
- b) considers adopting definitions of e-scooters and other e-personal mobility devices consistent with National Model Law;
- c) considers ways that e-scooters and other e-personal mobility devices may be safely moved into bike lanes on roads without compromising the safety of cyclists or device users;
- d) reviews speed limits of e-scooters and other e-personal mobility devices on footpaths to better protect the safety of pedestrians; and
- e) gathers data on the use of private and commercial e-scooters and other e-personal mobility devices, including compliance and injuries to pedestrians and riders.

Recommendation 8:

The Committee recommends that the matter of compulsory third party insurance for private and commercial e-scooters be referred to the Attorney-General for review and advice.

The Committee recommends that the state government resolves:

- a) the classification ambiguity regarding commercial and private use of e-scooters, specifically whether they are to be regarded as a motorised vehicle or as a bicycle; and
- b) outstanding matters regarding high insurance excess amounts, easily voided insurance policies, and the power of e-scooter providers in deciding the outcome of insurance claims.

Recommendation 9:

The Committee recommends that the Department for Infrastructure and Transport collaborates with the Department of Planning, Wellbeing SA, Infrastructure SA, local government and other stakeholders to develop a statewide strategic freight and passenger transport network plan.

A statewide strategic transport network plan should contemplate:

- a) community aspirations for freight and passenger transport in relation to socio-economic, environmental, community health and wellbeing and diversity and inclusion factors;
- b) looking beyond traffic management to a well-integrated transport network that connects communities across regions and metropolitan Adelaide, and has customer service at its heart;
- c) a transparent, equitable and sustainable funding base for delivering improved regional and metropolitan public transport infrastructure and services; and
- d) implementation at a regional or local scale.

Recommendation 10:

The Committee recommends that the Department of Infrastructure and Transport reviews its internal policies and procedures to

- a) remove messaging that promotes cars over other mode of travel; and
- b) actively promote alternatives to car travel to improve community health and wellbeing and reduce carbon emissions.

Recommendation 11:

The Committee recommends that the Department of Infrastructure and Transport increase transparency and consultation for major projects.

Recommendation 12:

The Committee recommends the Department for Infrastructure and Transport collaborates with Wellbeing SA and other stakeholders to collect and report on data on active forms of travel that meet targets for increasing patronage of active travel.

Recommendation 13:

The Committee recommends that:

- a) the SA Auditor-General considers investigation into the lease arrangements between state government and private rail operators to determine whether lease conditions are being breached and to recommend compliance actions if necessary; and
- b) the state government requests that Aurizon conducts a full maintenance audit on the rail network and provides a report.

LIST OF ACRONYMS AND ABBREVIATIONS

Committee	Select Committee on Public and Active Transport
DIT	SA Department for Infrastructure and Transport
E-	Electric-
Inquiry	Inquiry into public and active transport
NSW	New South Wales
SA	South Australia or South Australian
SATAG	South Australian Transport Action Group

INTRODUCTION

On 1 June 2022, a Select Committee of the Legislative Council (the Committee) was established to inquire into and report on Public and Active Transport in South Australia (the Inquiry).

Early in the Inquiry, an accident occurred (on Sunday 24 July) at the Glen Osmond, Portrush and Cross Roads' intersection involving a truck, several cars and a bus. The accident led to nine people being injured, but, fortunately, no fatalities. The seriousness of this incident highlights the challenges faced by the state Department for Infrastructure and Transport (DIT) in managing freight and passenger traffic coming out of the Adelaide Hills and onto the Adelaide Plains. Other, less recent, incidents at the intersection have involved fatalities.

Also, the emergence of Covid-19 as a global pandemic altered the lifestyles of South Australians, with many members of the workforce taking advantage of work-from-home policies that remained after the State of Emergency ceased. The SA community has also faced increased costs of living in recent times. Covid was a factor contributing to the rising cost of fuel in Australia, with demand for crude oil rising in 2021, but with limited supply. Further contributing to increased costs at the fuel pump was the escalation of war in Europe, with Russia invading the Ukraine in early 2022. Although the Federal government introduced a temporary, 50%, cut to the fuel excise in March, this ended 6 months later, in September 2022. For some sections of the SA community, the rise in fuel costs has meant that travel by car has become increasingly unaffordable.

Such lifestyle changes present new challenges to transport planners who now need to contemplate a less mobile workforce and aging population. Coupled with the emergence of more active forms of transport, such as e-scooters and e-bikes, the state needs to consider a more holistic approach to meeting the community's current and future transport expectations and needs.

Jurisdictional approaches to transport planning and regulation

In 2018, the NSW government launched its [Future Transport Strategy 2056](#), in which is envisaged a long-term strategic approach to transport options and implementation:

Future Transport 2056 is a suite of strategies and plans that set the 40-year vision, directions and principles for customer mobility in NSW, guiding transport investment over the longer term. It presents a glimpse of the large economic and societal shifts we will see in the future and places the customer at the centre of everything we do, to ensure we respond to rapid changes in technology and innovation to create and maintain a world-class, safe, efficient and reliable transport system.

[NSW government](#)

Developed in partnership with the NSW agencies responsible for infrastructure and planning, it is the longest-term strategy focussing on transport in the nation. It is a live document that integrates different modes of private, public and active transport with flexibility to allow for technological and broader societal changes to be addressed as they emerge.

[Queensland's Transport Strategy](#) is a 30-year document that seeks to deliver customer-focussed outcomes in the provision of transport, with a clear role for government "... acting as an enabler and regulator of transport and mobility ..."¹. Similarly with NSW, Queensland has stated high aspirations

¹ [Queensland government](#)

in seeking to provide integrated transport that is flexible, personalised and connected across the journey:

More affordable transport options will be available, along with more payment options, providing customers with the ability to purchase monthly transport subscriptions across different transport services to meet their travel needs and suit their lifestyles. This emerging, subscription-based transport service ... will provide highly personalised and integrated journey planning, booking and payments. Services can be ordered online and will be available on demand. Journeys across car, bus, rail, bike, ferry and possibly even air travel will be seamlessly integrated. This will greatly improve accessibility, convenience and affordability and will provide a viable alternative to costly car ownership for many Queenslanders.

[Queensland government](#)

Additionally, launched in 2019, Queensland's [Tourism and Transport Strategy](#) is a shorter-term vision for providing a connected service to enhance the tourism experience; expressing "... a vision of 'providing an exceptional journey for every visitor', taking a holistic view of tourism and transport and placing visitors' needs front and centre".²

Victoria's approach was to legislate for an integrated transport system in the [Transport Integration Act 2010](#), contemplating that "integrated transport legislation is essential to the creation of an integrated transport system"³. Multiple [strategies, plans and policies](#) for transporting passengers and freight have emerged from the Transport Integration Act's vision, principles and objectives.

South Australia's transport network is regulated by the Department for Transport and Infrastructure (DIT) on behalf of the Minister for Transport. DIT manages the public transport network, in partnership with private interests, in accordance with state transport legislation (primarily the [Passenger Transport Act 1994](#) and associated regulations). All modes of transport in SA are managed within a framework of legislation, such as the [Road Traffic Act 1961](#), transport, infrastructure and land use planning strategies and policies:

- [Integrated Transport and Land Use Plan](#) (2015)
- [30-Year Plan for Greater Adelaide](#) (2010 and updated 2017)
- [A Functional Hierarchy for South Australia's Land Transport Network](#) (2013)
- [Keeping Metro Traffic Moving](#) (2018)

Implementation of these policies and plans is set out in the [Forward Work Plan Major Programs 2022-2025](#).

² [Queensland government](#)

³ [Victorian government](#)

Terms of Reference

To inquire into and report on Public and Active Transport, with particular reference to:

- (a) The availability and quality of public transport, including:
 - i. infrastructure and services in metropolitan and regional areas;
 - ii. the impact of fares and frequency;
 - iii. the efficacy and impacts of on-demand public transport; and
 - iv. re-activation of passenger and freight rail lines in regional South Australia.
- (b) The role of government in enabling and encouraging active transport, including:
 - i. measures to enable more participation;
 - ii. the effect on community health and wellbeing;
 - iii. the effect on climate change mitigation; and
 - iv. measures to improve safety for pedestrians and cyclists.
- (c) The use of e-scooters and potential opportunities for expansion or further regulation.
- (d) Any other related matters.

Conduct of the Inquiry

The Committee advertised the Inquiry in The Advertiser, InDaily, and numerous regional newspapers in July 2022. The Committee received written submissions from 102 interested stakeholders. Details of the submissions received are included in Appendix 1.

The Committee subsequently met on 8 occasions to hear evidence from 50 witnesses. A list of witnesses is included in Appendix 2.

A list of websites used in this report is included in Appendix 3.

Committee Hansard is cited throughout this report as: evidence, [name of witness and/or organisation], [date of hearing], [page reference in the Committee Hansard]. All hearings took place in Adelaide.

TERM OF REFERENCE a) The availability and quality of public transport

i. Infrastructure and services in metropolitan and regional areas

Public transport infrastructure and services in SA are managed between state and local government: with the state (Department for Infrastructure and Transport (DIT)) responsible for the provision of transport services and regulation, roads and interchanges; and local government responsible for bus stops/ shelters and some community services. DIT is also responsible for managing public transport services in metropolitan and regional areas directly, and through partnership with private contractors:

State and territory governments are the main architects of Australia's public transport services. They fund infrastructure and services (sometimes through franchise agreements with commercial parties), plan and coordinate services, regulate, sometimes directly supply services, and above all, set fares.

[Productivity Commission 2021](#), pg. 33

Infrastructure SA is constituted as an independent advisory body in accordance with the [Infrastructure SA Act 2018](#). A Statement of Expectation from the Premier to the Board dated 27 June 2022 states that the Board considers and develops a 20-year state infrastructure strategy (which will incorporate transport infrastructure) that is focussed on sustainable and inclusive growth. Such a strategy provides an opportunity to audit current private, public, passenger and freight transport infrastructure and plan for future transport infrastructure needs.

The Committee heard that DIT is currently evaluating expressions of interest for delivery of regional bus services⁴. Submitters expressed concern about the model of public/ private partnership for delivery of public transport services,⁵ but the suggestion was made that there should be better incentivisation for the private sector to deliver better services.⁶

Our Roads SA expressed concern that current public transport services and infrastructure were not meeting community expectations⁷. Submitters were also concerned about the lack of public transport services that connected metropolitan suburbs⁸ and the lack of infrastructure and integrated services across transport modes within⁹ and beyond the metropolitan area¹⁰. Submitters also raised concerns about the lack of integrated public transport services connecting regional centres with Adelaide, and with each other.¹¹

⁴ evidence, S. White, DIT, 22 November 2022

⁵ submission #11 Field; #88 RAA

⁶ submissions #13 Wilson; #68 Round, M.

⁷ submission #67 Our Roads SA

⁸ submission #70 Round, V.

⁹ submissions #5 Denlay; #13 Wilson

¹⁰ submissions #17 Muller; #19 Keath; #22 Mt Barker & Districts Residents' Association; #52 Friends of Willunga Basin

¹¹ submissions #20 Du Rieu; #22 Mt Barker & Districts Residents' Association; #29 Cole; #38 Friends of Old Belair Rd and Transport Action Network; #47 Wudinna District Council; #48 Pt Augusta City Council; #65 Flinders and Upper North Local Health Network; #71 Pt Augusta, Roxby Downs, Woomera Health Advisory Council Inc.

The City of Mt Gambier highlighted in its submission that there is an underspend on public transport for regional areas:

Council [City of Mt Gambier] also notes the significant inequity in bus service funding between metropolitan and regional South Australia, with Adelaide receiving a \$234 per capita spend, compared with only \$11 per capita in regional areas.

The current service model in Mount Gambier sits at less than the lowest benchmark outlined in the Bus Industry Confederation's (BIC) population benchmarks for regional town public transport service. As South Australia's most significant regional city with a population of around 28,000, the present service does not meet the service provision benchmark for a town of between 3000 to 6000 people.

submission #53 City of Mt Gambier, pg. 2.

Submitters noted that public transport to connect regional communities to regional and metropolitan health services was vital in ensuring community wellbeing outcomes¹², and could be considered an investment in social capital¹³:

It is an access and equity issue and lack of appropriate transport services often results in community members not being able to access health services or being inconvenienced by lack of public transport options.

... This [lack of public transport options] affects their physical, mental and social wellbeing adversely and in the long term has the potential to increase their morbidity and mortality. This has the potential to increase the strain upon health services in terms of physical and economic resources.

submission #71 Pt Augusta, Roxby Downs, Woomera Health Advisory Council Inc., pgs 2 & 4

Throughout the City of Mount Gambier's review, it was repeatedly demonstrated that public transport should not be considered solely for its immediate function, but more broadly as a significant contributor to the building of social capital within the community. A strong public transport system reduces social isolation, supports improved physical and mental health, assists in enabling employment, encourages active citizenship and genuine connection within our community. Many respondents to the City of Mount Gambier review, expressed feelings of exclusion from community spaces and events, particularly on evenings and weekends or in accessing locations outside of the existing routes.

submission #53 City of Mt Gambier, pgs 4-5

Submitters highlighted the importance of accessible public transport in regional areas,¹⁴ particularly in relation to the reduction in regional accessible taxi services.¹⁵

Finally, submitters expressed concern over new urban and peri-urban residential development projects that occur without public transport infrastructure in place¹⁶. The Committee heard that the example of Riverlea in the north of Adelaide (being such a large development) would be better

¹² submissions #65 Flinders and Upper North Local Health Network; #71 Pt Augusta, Roxby Downs, Woomera Health Advisory Council Inc.

¹³ submission #53 City of Mt Gambier

¹⁴ submissions #49 SKILL Barossa Peer Network; #50 Nitschke; #59 JFA Purple Orange; #85 Pilkington

¹⁵ submissions #49 SKILL Barossa Peer Network; #50 Nitschke; #59 JFA Purple Orange

¹⁶ submissions #13 Wilson; #52 Friends of Willunga Basin; #67 Our Roads SA

served by more than just one mode of public transport¹⁷. Submitters also questioned the role of developers in financing new public and active transport infrastructure.¹⁸

ii. The impact of fares and frequency

Submitters¹⁹ were not so much concerned about the current cost of [fares in metropolitan areas](#) but questioned the cost of [fares in regional areas](#): “there is real and genuine transport disadvantage across [the electorate of] Hammond. The services are infrequent and expensive. An adult fare (one way) from Murray Bridge to Mount Barker is over \$15.00”.²⁰

In relation to fares in metropolitan areas, issues other than cost were highlighted, such as the current price structure²¹, and lack of flexible and easy to use fare paying infrastructure²²:

RAA believes the State Government should implement a digital ticketing system that allows users to purchase and validate PT [public transport] tickets within journey planning platforms. This is a low-cost way to improve customer experience and relieve a crucial pain point for infrequent users and tourists – finding and purchasing a physical Metro Card.

submission #90 RAA, pg. 3

The Committee heard from DIT that the ‘tap-and-go’ model of fare purchasing has been trialled successfully on trams and will be delivered on the O-Bahn bus service before being rolled out more broadly across metropolitan Adelaide:

We have been running a trial on the trams for a period of time now which has been really successful and we have been working in the background to get the O-Bahn buses equipped with the new smart validators. That go live is imminent so there will be an announcement very, very shortly that that is live on the O-Bahn. Then we will start to install the validators on the remaining bus network between December and May next year. By the end of May next year, we will have the whole bus fleet and the trams equipped with tap and go.

evidence, S. White, DIT, 22 November 2022, pg. 202

Further, there has been debate over whether the price of fares or the level of service is more important in increasing patronage of public transport. Submitters supported trials of free public transport²³. However, T. Wilson, in their submission, noted that decreasing the cost of fares does not necessarily equate with increased patronage, although improving services does:

I studied the impact of frequency increases implemented on a route by route basis by the private bus contractors in the 2000-2010 period which showed that frequency improvements in most cases resulted in increasing patronage.

submission #13 T. Wilson, pg. 23

¹⁷ evidence, Mountain, RAA, 8 November 2022

¹⁸ submissions #13 Wilson; #52 Friends of Willunga Basin

¹⁹ submissions #20 Du Rieu; #54 Keen

²⁰ submission #54 Keen, pg. 1

²¹ submission #3 Jarvis

²² submissions #3 Jarvis; #10 Smith; #70 Round, V.; #88 RAA

²³ submissions #77 Campbell & Gleeson; #80 Conservation Council SA

[The Productivity Commission](#) concluded similarly that zero or low fares would result in an important source of funds being diverted away from provision of services to potentially subsidising high-income earners.

Consideration by state government in setting fares is that it may need to be more granular in pricing differences between modes of transport, times of travel and distance travelled. Also, state government may need to consider "... equat[ing] prices with their net incremental social and economic costs ..." ²⁴ as well as considering such factors as simplicity and ease of implementation.

SACOSS, in its submission, however, expressed concern about the public transport concessions pricing structure, claiming it is "a patchwork because of eligibility criteria" making the system difficult for consumers to navigate ²⁵. The Committee heard that young people find the matrix of Adelaide metroCARDS and eligibility criteria difficult to get right:

There are different metroCARDS and young people are not always aware of which one they should be on, especially—because 'young people' includes 18 to 25s, so that kind of cohort who are perhaps university or TAFE students ... can also get picked up for being on the wrong type of metroCARD, even if they have their ID.

evidence, G. Thain, Youth Affairs Council of SA, 8 November 2022, pg. 176

The Department for Infrastructure and Transport advised that the cost of administering public transport fares in South Australia is approximately \$1.12 million. ²⁶

iii. The efficacy and impacts of on-demand public transport

On-demand public transport services have been trialled in some regional areas within SA, helping to provide connected journeys:

It is noted that other regional areas within South Australia have trialled a "dial a ride" program. Most recently, the Demand Responsive Trials held in Mount Barker (AdelaideMetro area) and the Barossa Valley (regional area). It is noted that the Mount Barker trial was successful, and the service has been integrated with AdelaideMetro networks by linking passengers to transport nodes.

submission #53 City of Mt Gambier, pg. 24

However, The Barossa Council, in its submission, expressed concern about the limited geographical reach that was currently provided by on-demand public transport services. ²⁷

Flinders University is conducting an Autonomous Vehicle (AV) Phase 2 trial ([Flinders Express \(FLEX\)](#)) in partnership with DIT, RAA, iMOVE and private industry. The project intends to develop and deliver on-demand passenger services via mobile app. ²⁸

Submitters pointed out, however, that accessibility was an important consideration for on-demand public transport. ²⁹

²⁴ Productivity Commission 2021, pg. 49

²⁵ submission #72 SACOSS

²⁶ Questions on Notice DIT 22 November 2022

²⁷ submission #78 The Barossa Council

²⁸ submission #89 DIT

²⁹ submissions #49 SKILL Barossa Peer Network; #53 City of Mt Gambier; #59 JFA Purple Orange

... the Barossa trial (which replaced the existing "Dial a ride" program) had a slower uptake of the service. Of particular note was the use of Mercedes Sprinter 12 seat vehicles. These smaller buses are not low-floor route buses, have limited accessibility and are not suitable for children requiring car seats. Based on what is now known about the patrons of the Mount Gambier Public Bus Service, many use the service for shopping, identify as living with a disability and use a mobility aid, travel with young children or are older residents.

submission #53 City of Mt Gambier, pg. 24

The Committee heard that DIT commenced a review of the point-to-point industry in July 2022, with a report due to the Minister for Transport at the end of 2022: 'we [DIT] have undertaken a lot of consultation with various industry members, including Access Taxis. We have compiled all of their responses and feedback, and we are currently putting a report together on proposed policy positions and recommendations.'³⁰

iv. Re-activation of passenger and freight rail lines in regional South Australia

Responsibility for the interstate railway network was transferred to the Commonwealth in 1975 to form part of Australian National Railways (ANR). Later, Commonwealth reforms and restructuring of the rail industry led to the sale of ANR and a restructure of how national rail was managed:

This had the following high-level impacts in South Australia:

1. *The Australian Rail Track Corporation assumed control of the interstate track network.*
2. *National Rail and other private operators took control of train operations.*
3. *The South Australian, non-metropolitan intrastate network and operation was sold to what is now Aurizon Bulk Central (ABC), formerly OneRail Australia.*
4. *Interstate passenger operations were sold to Journey Beyond (Formerly Great Southern Rail).*

submission #89 DIT, pg. 11

There was support from submitters³¹ for reactivation of regional passenger and freight rail in SA, and the Committee heard evidence from the SA Transport Action Group (SATAG)³² of support for a freight bypass. Submitters were concerned about the decline of rail infrastructure in some regional towns³³ and the associated loss of regional passenger rail services.³⁴

The Mt Barker & Districts Residents' Association, in its submission, supports (and the Committee heard evidence there was broader community support for) a passenger rail service to Mt Barker and the Adelaide Hills area: "it's very clear from the responses we have had from public meetings, there is huge support for rail in the Adelaide Hills community, and I have no doubt beyond that in Murray Bridge and Tailem Bend ...".³⁵

³⁰ evidence, E. Kokar, DIT, 22 November 2022, pg. 204

³¹ submissions #6 Henley; #11 Field; #14 Prideaux; #17 Muller; #20 Du Rieu; #29 Cole; #32 Elliott; #38 Friends of Old Belair Rd & Transport Action Network; #39 Presgrave; #47 Wudinna District Council; #57 Rollas; #66 Sayer; #71 Pt Augusta, Roxby Downs, Woomera Health Advisory Council Inc.; #76 Mahlo & Braver; #86 Transport Action Network

³² evidence, J. Hill, SATAG, 29 July 2022

³³ submissions #9 Trott; #39 Pesgrave

³⁴ submissions #6 Henley; #9 Trott; #11 Field; #14 Prideaux; #17 Muller; #18 McDougall; #20 Du Rieu; #29 Cole; #32 Elliott; #38 Friends of Old Belair Rd and Transport Action Network; #39 Presgrave; #47 Wudinna District Council; #57 Rollas; #66 Sayer; #76 Mahlo & Braver; #86 Transport Action Network

³⁵ evidence, J. Hill, SATAG, 29 July 2022, pg. 2

Further, there was support for extension of the passenger rail network to the north and south of Adelaide (e.g. Gawler to Roseworthy and Seaford to Aldinga).³⁶

The Committee heard from SATAG that a business case should be developed for a proposed rail and/or road bypass for freight/ heavy vehicles³⁷. Underpinning the business case scenario for rail is the concept of double-stacking to make rail competitive with road:

... a train, double-stacked, can carry 80 per cent more containers than single-stacked. That allows that train to compete with road transport.

... If you come via Adelaide and you can double-stack, that is a massive benefit for interstate freight all the way from Victoria to Perth or from Melbourne to Adelaide ...

evidence, J. Hill, SATAG, 29 July 2022, pg. 2

The business case scenario for a proposed rail and/or road bypass should consider factors other than economics, such as safety and environmental impact:

When you look at the return trip to Perth, that's 9,000 kilometres. You just think of the road damage that you save, environmental issues with fuel, and generally safety; all these issues that add up.

evidence, J. Hill, SATAG, 29 July 2022, pg. 2

When we talk about a rail bypass, we are also talking about a road bypass as well, because not only do we want to clear the freeway problem but we want to get the heavy transport out of the Adelaide Hills and the dangerous descent into Adelaide.

evidence, M. Parry, SATAG, 29 July 2022, pg. 3

Viterra, in its submission, provided support for re-activation of rail across the Eyre Peninsula, particularly if a standard gauge line could be established that connected to the national rail network:

This would enable grain rail assets to be moved around South Australia to serve areas of most need and enable more flexibility around managing volumes for shipping and growers. It would also open up the possibility of minerals from Eyre Peninsula moving onto the ARTC line to access export and domestic facilities.

submission #93, Viterra, pg. 3

Currently, freight by road provides a viable alternative to rail, particularly for farmers, because of flexibility of timing and cost. To make rail more competitive, some government policies, such as realising heavy vehicles subsidies, may need to be reviewed: "... there is no question that heavy transport—and this is not my comment; this is national information—doesn't pay its way, particularly trucks that are high-capacity loading. That's usually minerals, grain, liquids, where they load right up to maximum weights, so there is a lot of road damage there that's not being paid for."³⁸

Decreasing the attractiveness of freight by road is likely to lessen its effectiveness as a market competitor for the intrastate rail infrastructure services industry. However, the [SA Rail Access Regime](#),

³⁶ submissions #7 Handley; #17 Muller; #88 RAA

³⁷ evidence, J. Hill, SATAG, 29 July 2022

³⁸ evidence, J. Hill, SATAG, 12 July 2022, pg. 5

regulated by the Essential Services Commission of SA, is current until its review in 2025, and provides some redress to users wishing to access intrastate rail infrastructure services: “given the natural monopoly characteristics of the South Australian intrastate railway infrastructure, particularly rail yards and sidings, an access regime can provide protection against the potential use of market power for improper purposes.”³⁹

Finally, the Committee heard that there has been a lack of state government investment in regional rail, and that this was a missed opportunity:

The state government has a responsibility to transport people, to keep people safe, to allow commodities to go in that area, but insofar as getting product to port, that is the federal government's responsibility. But our state government, for whatever reason, has not, like the other states, called on the federal government to put in their two-thirds or one-third contribution to build rail. We are not talking about billions like the south-eastern corridor: we are talking about \$700 million to reopen the rail on Eyre Peninsula. It was \$160 million to shave off three minutes of the O-Bahn to the city, but we can't get \$700 million to reopen a rail that will make the roads safer and make a place 2½ times the size of Tasmania revitalised.

evidence, Marie Shaw, 29 August 2022, pg. 42

Findings

The Committee found that:

1. The delivery of public transport services is not meeting community expectations, and that the community expects that services are safe, well-integrated, convenient, frequent, accessible and speedy;
2. Public transport services are not well connected;
3. The community expects:
 - a) a sustainable funding base for public transport that enables partnerships to be fostered between local and state government, and allows for more equitable spending between metropolitan Adelaide and the regions;
 - b) partnerships and collaboration between each level of government and industry to deliver an appropriate level of services for public transport and transport infrastructure; and
 - c) timely implementation of regional and local actions arising from a statewide strategic plan for a transport network and transport infrastructure; and
4. There is strong community support for the reactivation of rail in regions and the Adelaide Hills.

Recommendation 1:

The Committee recommends that state government reviews its policies and processes to ensure that public transport services and infrastructure improve with regard to:

- a) Increasing the frequency of buses in metropolitan Adelaide and in regional centres;

³⁹ Essential Services Commission of SA, 2020, pg. 35

- b) Better bus connectivity between metropolitan suburbs, and especially between regional centres ensuring that regional communities have access to health services;
- c) Better integration of different modes of transport, taking advantage of the opportunities that technological advances offer;
- d) Fair and equitable fares that are easy to understand and implement, and particularly simplifying eligibility criteria for concessions;
- e) Accessibility for people with disabilities; and
- f) Safety conditions and amenities of bus and train stops.

Recommendation 2:

The Committee recommends that state government, as a high priority, conducts a trial of passenger train services from Mt Barker to Adelaide, with a view to adopting similar trials of services from Roseworthy to Gawler, Aldinga to Seaford and Adelaide to Port Augusta.

Recommendation 3:

The Committee recommends that state government:

- a) considers reactivation of regional rail for freight (particularly grain) and passenger services;
- b) in regards to regional rail, considers the environmental, health and wellbeing benefits of rail versus road; and
- c) reports on expenditure on public transport in regional versus metropolitan areas per capita.

Recommendation 4:

The Committee recommends the state government:

- a) incentivises passenger rail between Adelaide and Melbourne stopping at regional towns in South Australia;
- b) prepares the case for a northern rail bypass, considering the impact of heavy trucks on roads; and
- c) makes the changes required to freight rail services to allow double stacking of freight between Adelaide, Melbourne and Perth.

TERM OF REFERENCE b) The role of government in enabling and encouraging active transport

The Committee adopted a definition of active transport as walking (including wheelchairs and scooters) and cycling (including e-bikes).

Adelaide's climate and relatively flat geography lends itself well to high levels of patronage of commuting via active transport.⁴⁰ The health and wellbeing benefits of walking and/or cycling are well documented and are associated with zero or low emissions, contributing to minimising climate change.

Active transport is undertaken by almost everyone during at least some stage of their journey, particularly walking, with much of the infrastructure to ensure safe and accessible active travel usually residing within the authority of local government. Hence, active transport connectivity between, and even within, council areas can be poor. There are standout examples of well-connected bike and walk pathways, such as Linear Park and the Mike Turtur Bikeway, but these pathways are not connected to the centre of the Adelaide CBD and are therefore limited in being a preferred option for a daily commute to work.

i. Measures to enable more participation

Primarily, better leadership, advocacy, policy and funding for active transport at a state level, and better partnerships between state and local governments should result in increased patronage of active travel⁴¹; e.g.:

We need a champion for local streets within the bureaucracy, a body composed of local council and state government representatives, located administratively within the Department for Infrastructure and Transport, devoted to the design and management of local streets. This would authorise standards that take a holistic approach and take seriously active transport and minimising of the negative impact of motor vehicles. It would be a source of knowledge and expertise for local councils, setting acceptable guidelines and providing inspiration.

evidence, Walking SA, 13 September 2022, pg. 62

The Planning Institute of Australia suggested in its submission that coordination of active transport should occur at a state level and implementation at a local level.⁴² Further, P. Lumb noted that SA's investment in active transport is low relative to other states.⁴³

Submitters suggested improved integration of active transport with public or private transport; e.g. improving the lack of infrastructure, such as bike racks on buses, trams and trains; or bike storage options at interchanges and end-of-journey⁴⁴. Also, the Transport Australia Society, in its submission,

⁴⁰ submission #51 Lumb

⁴¹ submissions #8 Holbrook; #15 Brown, M.; #23 Janes; #24 Colhoun; #27 AHPA and PHAA; #30 AdaptWest; #31 Middle Ground Motherhood; #44 Mt Barker District Council; #51 Lumb; #70 Round, V.; #77 Campbell & Gleeson; #81 Alexandrina Council; #82 Bike Adelaide; #83 Amy Gillett Foundation; #86 Transport Action Network; #90 Bonham

⁴² submission #46 Planning Institute of Australia

⁴³ submission #51 Lumb

⁴⁴ submissions #3 Jarvis; #4 Slee; #25 Anonymous; #27 AHPA and PHAA; #43 SA Parents for Climate Action; #63 Bennett

suggested integration of different modes of transport through better information/ use of technology to deliver that information, such as Mobility as a Service (MaaS).⁴⁵

Suggestions for further improvements that could increase patronage of active travel included:

1. Trials of pop-up bikeways with separated infrastructure, similar to Melbourne and Sydney⁴⁶;
2. Review mandated bicycle helmet legislation⁴⁷; and
3. That there should be consideration of a subsidy for the purchase of e-bikes.⁴⁸

Finally, the Committee heard that increased patronage would not occur unless perceived and actual safety issues are identified and improved⁴⁹ (expanded upon in (d) below); e.g. calming street designs, with lower speeds and improved amenity.⁵⁰

ii. The effect on community health and wellbeing

Submitters supported the idea that commuting via active transport provides health benefits for individual users⁵¹. Further, active transport can provide a positive contribution towards creating liveable communities⁵² and gives independence, and an ability to connect with their community, to anyone who cannot drive or use public transport⁵³. Submitters, therefore, suggested that investing in ways to remove barriers to participation in active transport is likely to be balanced by a reduction in health costs.⁵⁴

SA planning policy already contemplates increasing patronage of active transport for the health benefits it provides, noting that:

People living in low-density car dependent neighbourhoods engage in less physical activity (including reduced walking and active travel) and increased sedentary behaviours, such as sitting in the car, both of which contribute to the prevalence of obesity and chronic diseases.

[State Planning Commission](#) 2018, pg. 9

The SA [Road Safety](#), [Walking](#) and the [Draft Cycling](#) strategies also contemplate increasing patronage of active travel because of a benefit in public health outcomes.

iii. The effect on climate change mitigation

Active travel was considered by submitters as an environmentally friendly option and an important way of mitigating climate change⁵⁵. Submitters were concerned about greenhouse gas emissions from

⁴⁵ submission #45 Transport Australia Society

⁴⁶ submissions #51 Lumb; evidence, Bonham, 13 September 2022

⁴⁷ submission #61 Humble

⁴⁸ submissions #4 Slee; #43 SA Parents for Climate Action; #70 Round, V.; #75 Bicycle SA

⁴⁹ evidence, Amy Gillett Foundation, 13 September 2022

⁵⁰ evidence, Walking SA, 13 September 2022

⁵¹ submissions #23 Janes; #24 Colhoun; #25 Anonymous; #27 AHPA and PHAA; #28 SA Active Living Coalition

⁵² submission #15 Brown, M.

⁵³ submission #84 Unley Bicycle Group

⁵⁴ submission #81 Alexandrina Council

⁵⁵ submissions #23 Janes; #24 Colhoun; #25 Anonymous; #28 SA Active Living Coalition; #30 AdaptWest; #43 SA Parents for Climate Action; #89 DIT

transport⁵⁶ and suggested that targets should be set for zero transport emissions.⁵⁷ Submitters also noted that green infrastructure (e.g. tree canopy) was important for increasing patronage of active travel.⁵⁸

State planning policy notes that:

Research for metropolitan Adelaide has estimated that by the year 2030, the shifting of 40% of vehicles travelled to active transport would prevent 13 deaths annually through improved air quality and 508 deaths due to physical [in]activity. A saving of 954,503 tons of CO² emissions annually would also be achieved.

[State Planning Commission](#) 2018, pg. 9

iv. Measures to improve safety for pedestrians and cyclists

Addressing driver behaviour, speed and volume of traffic, and unsafe road conditions were likely to increase patronage for active travel⁵⁹. The Committee heard evidence that:

... the state government's role in this as being quite simple: invest in protected bike lanes, speed limit reduction, sealed road shoulders and capability building; and lead and inspire local government authorities to do more and create a collaborative sector here in South Australia that can really strive towards cycling safety.

evidence, Amy Gillett Foundation, 13 September 2022, pg. 45

Unfortunately, we still don't even have that low speed around school zones. We have actual named school zones where schools can put in the 25 km/h zone, but there are many, many schools around the city and around the state who do not even have the 25 km/h or even the 30 km/h zoning around them. So our most vulnerable are at immense risk. Unfortunately, we have seen incidents in this last year where, directly around school zones, there have not been those speed limits imposed and there have been some serious injuries.

evidence, Walking SA, 13 September 2022, pgs 62-63

SA statistics also supported submitters calls for examining speed limits and driver behaviour to improve cyclist and pedestrian safety, with “pedestrians ... at greater risk of death and injury if hit at impact speeds above 30 km/hr”⁶⁰ (see Box 1).

Box 1

Pedestrians are at greater risk of death and injury if hit at impact speeds above 30 km/h. The most vulnerable pedestrians are children and older people.

Pedestrians are most exposed in busy areas. 82% of pedestrians who lose their lives or are seriously injured are located within the metropolitan Adelaide area at the time of the crash. Nearly one quarter of pedestrians who lose their lives or who are seriously injured are aged 70 years or older.

...

⁵⁶ submissions #8 Holbrook; #19 Keath; #40 Dingle; #87 Unley Voices for Climate Action

⁵⁷ submission #5 Denlay

⁵⁸ submission #30 AdaptWest; #89 DIT

⁵⁹ submissions #75 Bicycle SA; #82 Bike Adelaide; #83 Amy Gillett Foundation; #84 Unley Bicycle User Group; #87 Unley Voices for Climate Action

⁶⁰ [South Australian government](#)

Most (90%) serious injuries involving a cyclist occur in metropolitan Adelaide while just over half (52%) of lives lost are outside the metropolitan area. Half of the lives lost in regional and remote areas involve a cyclist being hit from behind. 70% of cyclist lives lost are in crashes that involved another vehicle.

Most crashes resulting in lives lost or serious injury of a cyclist occur at peak times of the day, around half occur between 6 am and midday and another 25% occur between 3 pm and 6 pm. 42% of lives lost and serious injuries occur at intersections, almost half of these are right angle type crashes and of these, the driver (not cyclist) was identified as at fault in almost two thirds of crashes.

[South Australian government](#)

Submitters highlighted a need to improve active travel infrastructure; in particular, addressing the lack of safe, well set up bike/ pedestrian pathways⁶¹ and that state government has a role in leading and funding active travel reform:

We think your role primarily as the state government is to really invest in the infrastructure and to lead on how that infrastructure can be implemented.

evidence, Amy Gillett Foundation, 13 September 2022, pg. 48

I think it's important to recall that the Dutch, when they were trying to get more people on bikes, recognised that you need to have the infrastructure as well as the promotion. They didn't want to promote people to go out there and then have bad experiences or kill themselves, so it's really important to make sure you're investing in the infrastructure and tell people that you're investing in the infrastructure as well as having the public awareness campaigns on cycling and its health benefits, its financial benefits and its environmental benefits.

evidence, Dr J. Bonham, 13 September 2022, pg. 56

Currently, this year, they [state government] are slated to spend \$13 million on cycling and \$1.9 billion on roads, roads which don't cater to cyclists. That is \$1,100 per capita for roads and less than \$10 per capita for bike riding. So it's funding and actually having plans, because if we don't have a plan for our cycling infrastructure we are just building an ad hoc kind of thing. I think that's important.

evidence, Dr J. Bonham, 13 September 2022, pg. 57

P. Lumb also noted in their submission the difficulties of cyclists navigating on-street car parking and bike lanes:

Take one example, South Terrace between East Terrace and Hutt Street. Weekdays this is a very busy stretch of road with many hospital visitors coming and going all day to visit St Andrews Hospital. South Terrace has 90 degree parking nose to the kerb on the south side. On road, at the back of the cars, is a painted bike lane. People on bikes, and using other mobility forms, feel threatened using lanes such as these, because it is so hard for reversing drivers to see oncoming cyclists, and for cyclists to make eye contact with drivers until they are very close. Many people on bikes (like me) try to avoid these lanes. They are not safe.

submission #51 Lumb, pg. 13-14

⁶¹ submissions #3 Jarvis; #4 Slee; #5 Denlay; #8 Holbrook; #19 Keath; #23 Janes; #25 Anonymous; #27 AHPA and PHAA; #31 Middle Ground Motherhood; #34 Krebs; #36 Chen; #37 Bourne; #42 Freestyle Cyclists Inc.; #43 SA Parents for Climate Action; #51 Lumb; #52 Friends of Willunga Basin; #55 Willunga Basin Trail; #63 Bennett; #81 Alexandrina Council; # 82 Bike Adelaide; #84 Unley Bicycle User Group

Improving accessibility to, and connectivity of, existing separated cycling and shared paths to reduce the number of points where cyclists and pedestrians need to cross busy roads or use intersections should also help increase patronage of active travel⁶². The Friends of Willunga Basin in its submission provided an example of congested intersections and bike/ pedestrian safety:

For many years, [Friends of Willunga Basin] FOWB has argued for safe routes for cyclists and pedestrians and are pleased to see that the State Government has now supported the building of an off-road cycling track between Willunga and Aldinga. However, we are concerned that the proposed trail crossing of Main South Road will only add a risk to cyclists and pedestrians as they have to navigate the congested intersection of Port Rd and Main South Rd.

submission #52 Friends of Willunga Basin, pg. 3

The Committee heard evidence that road designers lack authoritative road design standards for producing pedestrian/ bicycle-oriented safe and calm local streets:

There have been efforts over the years to create such standards and perhaps the most successful was the Australian Model Code for Residential Development (AMCORD). This had street design standards specifically applicable to local streets. But this has not been updated since 1995, is not numerical and seems to have fallen into disuse. We also have other guides. In South Australia, for example, we have the Streets for People compendium, the City of Adelaide Bikeways Design Guide and integrated sign commission reports, but none of these have ever been established as authoritative. They have never been seen as being owned by those who are responsible for road design.

evidence, Walking SA, 13 September 2022, pg. 62

Although participation in travelling by cycling in SA has increased since 2007, statistics show a gender inequity in cycling; i.e. “the cycling participation rate is higher for males and those aged under 18 years”⁶³. The Committee heard that this gender inequity is likely to be related to perceptions of, and actual, safety issues while cycling:

... there is ample research that shows that when you provide that hard separation you massively increase the number of people who feel safe on a bike, and that's particularly true for women, and it is particularly true for women who are often more responsible for the transport of children. They often have more trip chaining that needs to be undertaken. They need to take the kids to school, drop the kids at school and then go from there on to work and then, on the way back, pick the kids back up, go to the shops and then come back home. If there is an element where they feel particularly unsafe with their children, then the whole trip becomes not able to be undertaken on a bike.

evidence, Walking SA, 13 September 2022, pg. 63

With negative driver attitudes and behaviour also being a deterrent for women undertaking active transport for their commute:

“Tracey’s description is a case in point –where, after being knocked off her bicycle when she was seven months pregnant, the motorist jumped out of his car and shouted abuse at her for the damage to his car”.

⁶² submissions #1 Daly; #3 Jarvis; #19 Keath; #25 Anonymous; #30 AdaptWest; #35 Woollacott; #52 Friends of Willunga Basin; #55 Willunga Basin Trail; #63 Bennett; #69 Hurley; #70 Round, V.; #80 Conservation Council SA; #82 Bike Adelaide; #86 Transport Action Network

⁶³ [South Australian government](https://www.southaustralia.gov.au)

Finally, the Committee heard that it was an important role for state government to:

... invest in capability building within the local government sector, so effectively training the people that do roads, the people that design, plan and manage roads and streets. Investing in them having access to best practice guidance and techniques, how to do a [bikeway] pop-up, which areas to focus on first, how to do speed reduction, is a very effective way for the state to get involved in this whole topic. It is to effectively raise the water level of knowledge and understanding that practitioners have.

evidence, Amy Gillett Foundation, 13 September 2022, pg. 50

Findings

The Committee found that:

1. There is a role for state and local government in enabling increased patronage for active transport, and that although there is an economic cost to improving infrastructure, those costs are balanced by benefits for community health and wellbeing, and the environment;
2. It is important to have targets to increasing the amount of active travel, and that infrastructure costs to investing in safer cycling and walking are likely to be offset by savings in public health outcomes;
3. The community was concerned about cyclist and pedestrian safety, and that this is a significant barrier to increasing patronage of active transport;
4. There is also a role for state government in leading appropriate messaging around active transport and partnering with education to ensure that transport planners are well versed in best practice design and planning techniques; and
5. There exists an imbalance in priorities between active and non-active forms of transport in planning and funding for infrastructure and that the state, in partnership with local government, is well-placed to recognise and provide redress through a statewide strategic plan for transport.

Recommendation 5:

The Committee recommends that state government should review and develop:

- a) targets for increasing patronage of active travel, and action or implementation plans to ensure those targets are met;
- b) regular monitoring and reporting on targets for increasing patronage of active travel; and
- c) specific strategies focussed on safety of cyclists and pedestrians.

Recommendation 6:

The Committee recommends that state government (in collaboration with local government and other stakeholders):

- a) conducts trials of (hard) separated bike infrastructure on some metropolitan and/or regional roads;

- b) conducts trials of traffic calming measures (including speed limit reductions) to improve safety for pedestrians and cyclists; and
- c) commences planning for a state-wide, integrated, separated cycling network.

TERM OF REFERENCE c) The use of e-scooters and potential opportunities for expansion or further regulation

The Committee adopted DIT's definition of an electric-(e-)scooter:

An e-scooter is a two-wheeled device powered by an electric motor and battery pack. E-scooters must have a braking system and warning device and lights must be used if ridden at night. They are lightweight and designed for use by one person only, standing up.

For the purposes of this trial the devices are being defined in South Australian regulations as Electric Personal Transporters. E-scooters do not include: motorised wheelchairs and mobility scooters (Gophers) typically used by people with mobility difficulties; moped scooters with internal combustion engines; electric bicycles and Pedelects; kick scooters.

[South Australian government](#)

E-scooters are a low cost, low emissions form of transport that are intended for short journeys.

There are four e-scooter trials in the metropolitan area: Adelaide and North Adelaide; Coastal Park Trail; City of Norwood, Payneham and St Peters; and Unley. The rules and regulations for e-scooters are appended to this report (see Appendix 4). Only e-scooters supplied by licensed operators are allowed to be ridden in these trial areas. Councils are expected to monitor and evaluate the outcomes of the trials in their areas.

Submitters provided support for e-scooters in principle⁶⁴ but others noted issues such as e-scooters clogging the footpaths and creating trip hazards or obstacles.⁶⁵

In SA, e-scooters can only be ridden on the footpath⁶⁶, however, this was undesirable from the point of view of advocates for footpaths that are safe for pedestrians:

Walking SA supports separation based on speed. Pedestrians are not travelling at 15 km/h; scooters are travelling at 15 km/h and above ... Scooters should not be on the footpath with pedestrians. There are, of course, examples where kids riding bikes and things and others are allowed on the footpath But in all instances, we should think about separation based on speed.

Scooters are on the footpath because it is not safe for them to be on the road. If we had safe, separated cycleways, that would be where they should be. They should be, similarly, in a safe, hard-separated bikeway because they are travelling at bike pace, they are not travelling at pedestrian pace.

evidence, Walking SA, 13 September 2022, pg. 64

⁶⁴ submissions #53 Planning Institute of Australia; #92 Brett-Robinson

⁶⁵ evidence, Walking SA, 13 September 2022; submission #60 Brown, D.

⁶⁶ submission #89 DIT

Compliance and liability

An issue of great complexity is in regulation and liability with the use of small personal e-vehicles, such as e-scooters. Recently, [The Conversation](https://theconversation.com/whos-liable-if-youre-injured-or-killed-riding-an-e-scooter-187436) published an article (<https://theconversation.com/whos-liable-if-youre-injured-or-killed-riding-an-e-scooter-187436>) that highlighted the lack of accountability from e-scooter companies, and their insurers, in the event someone is injured by, or while in control of, an e-scooter. Particularly concerning to the Committee was the ‘wriggle room’ to avoid liability altogether if the rider of the e-scooter was not in compliance with the contract provided by the e-scooter company.

D. Brown highlighted in their submission that:

... there is evidence of significant number of hospital admissions. While many injuries may be to riders themselves, and while not wanting to downplay the concern about that, some of them are to pedestrians.

submission #60 Brown, D., pg. 3

... the insurance will be voided if the rider has breached the terms of use of the scooter, including not wearing a helmet, being under age, being drunk or drugged, carrying an additional passenger, etc. The real impact, given it is ‘third party’ insurance, is on the injured pedestrian, who has no control over the rider’s compliance with these conditions, and as stated above, some, such as wearing a helmet, are not even relevant to the causation of the injuries to the pedestrian.

submission #60 Brown, D., pg. 4

Although, interestingly, the Committee heard evidence that liability differs amongst e-scooter companies, depending on their insurance policy. Beam, for example, offers coverage regardless of the behaviour of the rider, but imposes a \$5,000 excess:

We know that the cover that we offer, while not perfect, is the best out there. Even in situations where riders are not necessarily following the rules—not wearing a helmet, for example, or not doing something else in accordance with the rules—our insurance still covers. That’s not the case with other operators. Their insurance is simply void if the rider wasn’t wearing a helmet or was travelling in the wrong area or was travelling at an excessive speed. We have tried to offer the best possible coverage that we can.

evidence, S. Taylor, Beam, 4 October 2022, pg. 91

D. Brown’s submission outlined the challenges surrounding Compulsory Third Party insurance for e-scooters:

As is well known, motor vehicles which are registrable and licensed, such as cars and motorcycles, must have third party insurance. This is attached to the vehicle registration and renewal through the State government. Some have called for this to be extended to e-scooters, so that the problems of the limitations of third party liability attached to rental scooters can be avoided, thereby protecting riders and injured pedestrians. The State Government states on its website that the problem is that e-scooters are not registered, and so CTP cannot apply, and that the reason they cannot be registered currently, is that they do not comply with Australian Design Rules. The latter are the rules which enable compliant vehicles to be manufactured and imported- they include safety standards and mechanical standards.

So if e-scooters do not currently comply with these Design Rules, and these rules include safety standards, why are we permitting trials of these non-compliant vehicles? Further, should any future permission, beyond the trial, be conditional upon waiting until these vehicles are brought with the Australian Design Rules, so that they can then be subject to CTP? I appreciate that the Design Rules go beyond a South Australian issue, and may even involve international standards, but that does not seem like a reason for accelerating introduction of non compliant vehicles on a permanent basis, before addressing this and the other issues mentioned in my submission.

submission #60 Brown, D., pg. 5

The Committee heard that Neuron Mobility, one of the e-scooter providers involved in the current trials, does have third-party insurance:

...In 2021 we brought in our third-party insurance, and we were the first operator to do so, to give confidence and safety to the community or anyone sharing our footpaths—we understand that we do share them with other footpath users—in our operations.

220 *The CHAIRPERSON: Can I ask on safety, if somebody is injured using the scooter or if they are a pedestrian—and there have been some reports around this of pedestrians who have been injured walking on the footpath—what level of liability does Neuron have? Is the pedestrian as well as the user covered by your insurance, or what recourse does someone who is injured have?*

Mr WILLIAMS: I think we can provide government with the specifics of our insurance, and neither Lachie nor I are really qualified to go into the details, but we introduced this concept of public liability insurance with our company. In the vast majority of cases, where someone is involved in an incident, they are covered; they work through our insurance company and ourselves. We take a very active role in not so much mediating but certainly liaising with plaintiffs or with somebody who has been injured, and so forth, and categorically the vast majority go without an issue. There have been instances where someone is breaking the law and has been involved in an accident, and if you do that in your vehicle or with your home that creates complications with an insurance policy coverage, but again with the vast majority there are no issues.

evidence, L. McLean and T. Williams, Neuron, 4 October 2022, pg. 75

Beam said of their insurance policy and strategies to improve safety:

When a rider hops onto a Beam e-scooter we encourage them to go through the rules, so before they start a trip they have to go through a number of pages that outline the local road rules, but when they ride they are responsible for controlling the vehicle and riding courteously. If they do have an injury themselves then we have an insurance product—a rider safety product—that insures them for injuries that occur during that accident.

If they have an incident with a pedestrian we do have a third-party product, and that has a \$5,000 premium excess and so the excess is covered by the rider. The reason that we have that is because we want the riders to take responsibility; we don't want it to be that it is a free hit where they can ride irresponsibly and expect the insurance to cover it. We do have a product there to help them if they do have an accident, but we also want to put the onus on them to ride courteously and responsibly.

evidence, T. Cooper, Beam, 4 October 2022, pg. 88

M. Giancaspro and D. Brown shared with the Committee Western Australia's approach to registration and insurance of e-scooters:

I'm not sure what the current position is in Western Australia. A report produced for the Local Government Association of Western Australia, which I found, suggested that under the Western Australian road rules or road traffic regulations e-scooters were mopeds that came within the definition of moped. In that way, you would have to have a licence to use one and therefore would be covered by CTP. But certainly you couldn't use them if you didn't have a driving licence.

482 The CHAIRPERSON: Sorry, just to clarify, you are required to have a driver's licence to use an e-scooter?

Assoc. Prof. BROWN: I believe they have to be licensed vehicles. They have to be registered vehicles and therefore, being registered vehicles, they would have to abide by the Road Rules that apply to motor vehicles. I believe that, if it's a registered vehicle, it can come within whatever the compulsory third-party scheme is in Western Australia, but I'm not sure whether that is the case. I was merely saying that, by defining it as a moped, that enabled them to require them to be licensed vehicles, which does enable them, I believe, to come under the compulsory insurance scheme should that be desired.

evidence, M. Giancaspro and D. Brown, 11 October 2022, pg. 154

Findings

The Committee found that:

1. There is potential for increased use of e-scooters in metropolitan Adelaide, but liability and accountability are highly complex matters that go beyond what the Committee can achieve with this Inquiry; and
2. Legislation and policy surrounding the use of small personal e-mobility vehicles (not just e-scooters) should be a matter of ongoing review by state government in collaboration with stakeholders.

Recommendation 7:

The Committee recommends that state government, in collaboration with local government and other stakeholders:

- a) legislates to enable use of privately owned e-scooters and other e-personal mobility devices in public spaces, in line with other state jurisdictions;
- b) considers adopting definitions of e-scooters and other e-personal mobility devices consistent with National Model Law;
- c) considers ways that e-scooters and other e-personal mobility devices may be safely moved into bike lanes on roads without compromising the safety of cyclists or device users;
- d) reviews speed limits of e-scooters and other e-personal mobility devices on footpaths to better protect the safety of pedestrians; and
- e) gathers data on the use of private and commercial e-scooters and other e-personal mobility devices, including compliance and injuries to pedestrians and riders.

Recommendation 8:

The Committee recommends that the matter of compulsory third party insurance for private and commercial e-scooters be referred to the Attorney-General for review and advice.

The Committee recommends that the state government resolves:

- a) the classification ambiguity regarding commercial and private use of e-scooters, specifically whether they are to be regarded as a motorised vehicle or as a bicycle; and
- b) outstanding matters regarding high insurance excess amounts, easily voided insurance policies, and the power of e-scooter providers in deciding the outcome of insurance claims.

TERM OF REFERENCE d) Any other related matter

Statewide strategic planning for transport and infrastructure

Submitters commented on the need for a strategic statewide integrated and evidence-based transport plan.⁶⁷ The Committee heard from Walking SA that: “success will be achieved if there is a plan, and at present there is no vision, there is no plan, for the state. What is required, from our perspective, is to look at how the state is going to create that vision”⁶⁸. Importantly, there needs to be clarity in any state strategic plan that DIT’s role is to provide a transport network, and not just manage traffic:

[and] let's make sure the plan is a state-supported plan, that the Department for Infrastructure and Transport—it may have originated as being around arterial roads and highways, but that is no longer its accepted purpose. Let's recognise that the accepted purpose now is transport across the state and ensure that walking and cycling paths get the same level of importance, if not ideally more of course, and public transport as well as movement of cars.

evidence, Walking SA, 13 September 2022, pgs 68-69

The most recent strategic plan for transport and land use planning ([Integrated Transport and Land Use Plan \(ITLUP\) July 2015](#)) is now nearly 10-years old and does not contemplate the technological opportunities for transport that have emerged in the past decade. Further, a vision and goals for a statewide transport network must consider all forms of passenger and freight (private and public, active and on-demand, transport); how the network connects locally, regionally and nationally; and future state infrastructure requirements to support a connected transport network. Strategic planning for such a transport network needs to take into consideration community aspirations, and short and long term outcomes given the costs, as well as other social, wellbeing and environmental impact factors.⁶⁹

The Committee heard that DIT is planning strategic public and passenger transport plans, as well as area transport plans:

So we are trying to cover off not just building more roads but what's the actual transport task and how do people have some choice around that. So we are trying to understand what the community needs are rather than being a department that says, 'Well, we're just going to build a road here.' We are trying to get that engagement and increase that transparency by having that conversation.

evidence, A. Excell, DIT, 22 November 2022, pg. 205

Findings

The Committee found that the state needs a statewide strategic transport network plan that integrates and connects various transport modes, offers a choice to consumers, and is based on socio-economic, environmental, community health and wellbeing and diversity and inclusion aspirations.

⁶⁷ submissions #67 Our Roads SA; #80 Conservation Council SA; #86 Transport Action Network; #88 RAA; #91 Business SA

⁶⁸ evidence, Walking SA, 13 September 2022, pg. 59

⁶⁹ submission # 80 Conservation Council SA

Recommendation 9:

The Committee recommends that the Department for Infrastructure and Transport collaborates with the Department of Planning, Wellbeing SA, Infrastructure SA, local government and other stakeholders to develop a statewide strategic freight and passenger transport network plan.

A statewide strategic transport network plan should contemplate:

- a) community aspirations for freight and passenger transport in relation to socio-economic, environmental, community health and wellbeing and diversity and inclusion factors;
- b) looking beyond traffic management to a well-integrated transport network that connects communities across regions and metropolitan Adelaide, and has customer service at its heart;
- c) a transparent, equitable and sustainable funding base for delivering improved regional and metropolitan public transport infrastructure and services; and
- d) implementation at a regional or local scale.

SA's car-centric culture

Submitters raised concerns that SA's transport policy framework prioritises cars to the detriment of public and active transport.⁷⁰ The Committee heard evidence that :

... drivers in South Australia, until very recently, were taught that cyclists, pedestrians and children were hazards ... it was on the basis of our work ... that—thank goodness we had a Department of Transport representative on board, they actually pulled out from driver education the reference to cyclists as being 'hazards'.

...

But, beyond that, men who ride bikes for utility are often infantilised in popular culture, or they are demeaned. The Motor Accident Commission—I don't know if anyone here remembers their campaign, 'Lose your licence and you're screwed'. Basically, that demeaned men who rode bicycles. It's particularly egregious because it came from a government body.

evidence, Dr J. Bonham, 13 September 2022, pgs 54-55 & 57

Submitters also expressed concerns about DIT's processes and consultation⁷¹, although the RAA in its submission pointed out that public confidence in the major projects process would be improved if it is transparent that public transport is given some priority:

Ensure that all future intersection and corridor road upgrades consider the costs and benefits of priority public transport infrastructure in the design phase. Where appropriate, planning documents should be published to ensure full transparency and public confidence that public transport is a priority for major projects.

submission #88 RAA, pg. 5

⁷⁰ submissions #8 Holbrook; #34 Krebs; #51 Lumb

⁷¹ submissions #67 Our Roads SA; #69 Hurley; #86 Transport Action Network

Findings

The Committee found that:

1. There is community concern about the prioritising of cars over public and active transport by state government; and
2. That state government processes, particularly for major projects, encouraged the impression that state government prioritises cars over public and active transport.

Recommendation 10:

The Committee recommends that the Department of Infrastructure and Transport reviews its internal policies and procedures to

- a) remove messaging that promotes cars over other mode of travel; and
- b) actively promote alternatives to car travel to improve community health and wellbeing and reduce carbon emissions.

Recommendation 11:

The Committee recommends that the Department of Infrastructure and Transport increase transparency and consultation for major projects.

Lack of data collection on active transport

An important gap in thinking about active transport is the lack of available data to help guide state strategic planning and investment:

At the moment, South Australian transport data collection and analysis is inadequate to the task of comprehensive transport planning and decision-making. There is an overall understanding of journey patterns to work (j-t-w) but these trips account for a diminishing share of overall travel.

submission #90 Bonham, pg. 6

The 'Report Card' on the 30 Year Plan for Greater Adelaide reported the failure to meet walkability and active travel targets and identified the need for better data collection.

submission #90 Bonham, pg. 7

Findings

The Committee found that a lack of data on active forms of travel is likely to be hampering state investment in those forms of travel.

Recommendation 12:

The Committee recommends the Department for Infrastructure and Transport collaborates with Wellbeing SA and other stakeholders to collect and report on data on active forms of travel that meet targets for increasing patronage of active travel.

Licence arrangements between state government and private rail infrastructure operators

Submitters were concerned over the licence arrangements between state government and private rail operators⁷². Their concerns were that the licence/ lease conditions were being breached by operators and that there did not seem to be any accountability from private rail operators.

The Committee heard that:

Genesee Wyoming essentially increased their costs, ran down the railway so it became simply uneconomical for them [other rail operators] to continue to engage Genesee Wyoming. And I was provided with information from the Productivity Commission report of 22 March 2010 that had found that controls over the costs levied to run trains on Genesee Wyoming controlled railways lines were unreasonable and that the unreasonable controls and exorbitant pricing structure virtually precluded any other company from using rail in South Australia. That meant that Genesee Wyoming could close parts of their railway lines that were not giving them the returns they wanted, and so they did.

evidence, Marie Shaw, 29 August 2022, pg. 38

Findings

The Committee found that:

1. The issues in relation to the public/ private regional rail licence arrangements were beyond the scope of the current Inquiry but were of sufficient interest and concern to warrant further inquiry.
2. The SA Auditor-General may be best placed to undertake further investigations into contractual compliance matters between the state and private interests.
3. A statewide strategic transport plan is likely to enable the state to take better advantage of opportunities to partner with Federal government in identifying and funding the rail network.

Recommendation 13:

The Committee recommends that:

- c) the SA Auditor-General considers investigation into the lease arrangements between state government and private rail operators to determine whether lease conditions are being breached and to recommend compliance actions if necessary; and
- d) the state government requests that Aurizon conducts a full maintenance audit on the rail network and provides a report.

⁷² submissions #6 Henley; #10 Smith; #11 Field

ACKNOWLEDGEMENTS

The Committee extends its thanks to those who have provided information and evidence to its Inquiry.

The Hon. Robert Simms MLC
Chair
Select Committee on Public and Active Transport
7 February 2023

APPENDIX 1 – Submissions

The following persons and organisations made written submissions to the Committee which were resolved to be published by the Committee:

1	Dr Robert Daly
2	Dianne Barrington
3	Aidan Jarvis
4	Christopher Slee
5	John Denlay
6	Paul Henley
7	Doug Handley
8	Jon Holbrook
9	Milton Trott
10	Ross Smith
11	Gary Field
12	Maurice Parry
13	Tom Wilson
14	Jonas Prideaux
15	Margaret Brown
16	Philippa Becker
17	Dr Stephen Muller
18	Grant McDougall
19	Margret Keath
20	Carolynne Du Rieu
21	Bus SA
22	Mount Barker & District Residents' Association
23	Stephen Janes
24	Christopher Colhoun
25	Louisa Esdaile
26	Stephen Domagalski
27	PHAA and AHPA
28	South Australian Active Living Coalition
29	William George Cole
30	AdaptWest
31	Sarah Cleggett
32	Debbie Elliott
33	Rob Bickford
34	Kim Krebs
35	Anthony Wollacott
36	Echo Chen

37	Ian Bourne
38	Paul Froggatt
39	Anthony Presgrave
40	Margaret Dingle
41	Mark Draper
42	Dr S. Bilson-Thompson, Freestyle Cyclists
43	South Australian Parents for Climate Action
44	Mount Barker District Council
45	Transport Australia Society
46	Planning Institute of Australia (SA)
47	Wudinna District Council
48	Port Augusta City Council
49	SKILL Barossa
50	Matthew, Ann and David Nitschke
51	Peter Lumb
52	Friends of Willunga Basin
53	City of Mount Gambier
54	Airlie Keen
55	Willunga Basin Trail
56	Diana Reed
57	Phillip Rollas
58	Dr Tahna Pettman
59	JFA Purple Orange
60	David Brown
61	Stephen Humble
62	Robert Stainsby
63	Penelope Bennett
64	Mark Prior
65	Flinders and Upper North Local Health Network
66	Bernhard Sayer
67	Our Roads SA
68	Michael Round
69	Leanne Hurley
70	Vanessa Round
71	Flinders and Upper North LNH Health Advisory Council
72	SACOSS
73	John Bolton
74	SAESK8
75	Bicycle SA
76	David Mahlo and Joy Brauer
77	Ashley Campbell and Annie Gleeson
78	The Barossa Council
79	Taxi Council SA

80	Conservation Council SA
81	Alexandrina Council
82	Bike Adelaide
83	Amy Gillett Foundation
84	Unley Bicycle User Group
85	Ian Pilkington
86	Transport Action Network
87	Unley Voices for Climate Action
88	RAA
89	Department for Infrastructure and Transport
90	Dr Jennifer Bonham
91	Business SA
92	Munro Brett-Robertson
93	Viterra
94	City of Adelaide
95	Rail Tram and Bus Union
96	Scott Durand
97	Fraser Ellis MP
98	Heart Foundation
99	Filip Kowalski
100	Giulio Ponte
101	City of Unley
102	Lime Mobility

APPENDIX 2 – Index to witnesses

Evidence was taken at Parliament House, North Terrace, Adelaide.

12 July 2022

South Australian Transport Action Group

- John Hill, Chair
- Maurice Parry, Founder and Member

Luigi Rossi - Director, Luigi Rossi & Associates

Transport Action Network

- Dr Donna Ferretti, Urban Planner, Life Fellow Planning Institute of Australia
- Tom Wilson, Public Transport Planner (Retired), Public Transport Historian
- Paul Froggatt, Friends of Old Belair Road, Transport Planner (via videoconference)
- Joanna Wells, Our Roads SA

29 August 2022

Bike Adelaide

- David Elliott, Chair
- Sarah Cleggett, Founder, Middle Ground Motherhood

Marie Shaw QC

13 September 2022

Amy Gillett Foundation

- Stuart Outhred, Head of Strategy and Research

Dr Jennifer Bonham - Spokesperson, Transport Action Network; Adjunct Senior Research Fellow, University of South Australia

Walking SA

- Dr Helen Donovan - Executive Director

4 October 2022

Neuron Mobility

- Trent Williams, Corporate Affairs Head ANZ
- Lachlan McLean, Regional Manager SA

Conservation Council SA

- Craig Wilkins, Chief Executive
- Prof. David Shearman, former President (via audioconference)

Beam Mobility

- Tom Cooper, General Manager ANZ
- Sarah Taylor, Senior Policy Manager ANZ

11 October 2022

JFA Purple Orange

- Robbi Williams, Chief Executive Officer
- Cathy Cochrane, Policy and Research Leader

SAESK8 (South Australian Electric Skateboard, EUC and Onewheel Club)

- Michael Page, Administrator, Moderator and Group Coordinator
- John Bolton, Member

Rail, Tram and Bus Union

- Darren Phillips, SA/NT Branch Secretary

Freestyle Cyclists

- Dr Sundance Bilson-Thompson, President

SA Active Living Coalition

- Heath Edwards, Chair
- David Bailey, Senior Project Officer

Hon. Dan Cregan MP

Diana Reed

Bike SA

- Brett Gillett, Chief Executive Officer

Mount Barker and Districts Residents' Association

- Douglas McCarty, Executive Member (Retired Civil Engineer)
- Dr Richard Jones-Parry, Executive Member

Assoc. Prof. David Brown - Co-Director, Regulation of Commerce, Corporations, Insolvency and Taxation Unit, University of Adelaide

Dr Mark Giancaspro - Lecturer in Law, University of Adelaide

25 October 2022

South Australian Council of Social Service (SACOSS)

- Ross Womersley, Chief Executive Officer
- Dr Greg Ogle, Senior Policy and Research Analyst

Ian Pilkington

8 November 2022

Youth Affairs Council of South Australia

- Ms Anne Bainbridge, Chief Executive Officer
- Ms Georgia Thain, Policy Officer

Heart Foundation

- Dr Marie Ludlow, General Manager South Australia
- Ms Sheree Hughes, General Manager Queensland (via videoconference)
- Ms Elizabeth Calleja, Senior Advisor Physical Activity (via videoconference)

RAA

- Ms Emily Perry, General Manager Community and Corporate Affairs
- Mr Charles Mountain, Senior Manager Safety and Infrastructure

22 November 2022

Department for Infrastructure and Transport

- Andrew Excell, Executive Director, Transport Planning and Program Development
- Scott White, Executive Director, South Australian Public Transport Authority
- Emma Kokar, Executive Director, Road and Marine Services, Registrar of Motor Vehicles
- Sarah Clarke, Director, Road Safety, Policy and Research

City of Port Adelaide Enfield

- Chris Dunn, Manager Design, Construction and Transport
- Fiona Harvey, Director City Assets

APPENDIX 3 – List of websites

NSW government, Transport Strategy

<https://www.future.transport.nsw.gov.au/homepage>

Queensland government, Transport Strategy

https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/6355bb5d-0062-4428-a7c7-54ebb76635d0/qts-queensland-transport-strategy_final.pdf?ETag=accba8ef6786e3a2a761714758b9954c

Queensland government, Tourism and Transport Strategy

<https://www.tmr.qld.gov.au/About-us/Corporate-information/Publications/Queensland-Tourism-and-Transport-Strategy>

Victoria's Transport Integration Act 2010

<https://www.legislation.vic.gov.au/in-force/acts/transport-integration-act-2010/084>

Victoria's transport strategies and plans

<https://transport.vic.gov.au/about/planning/transport-strategies-and-plans>

South Australian legislation

<https://www.legislation.sa.gov.au/legislation/acts>

SA Integrated Transport and Land Use Plan 2015

https://www.transportplan.sa.gov.au/_data/assets/pdf_file/0007/173482/ITLUP_-_July_2015.pdf

Living Adelaide -the 30-Year Plan for Greater Adelaide 2010 (updated 2017)

<https://livingadelaide.sa.gov.au/>

SA's Land Transport Network

https://www.sa.gov.au/_data/assets/pdf_file/0016/10609/A_Functional_Hierarchy_for_SAs_Land_Transport_Network.pdf

Department of Transport and Infrastructure's Keeping Metro Traffic Moving

[https://www.dit.sa.gov.au/movingtraffic#:~:text=Keeping%20Metro%20Traffic%20Moving%20\(KMTM,term%2C%20low%2Dcost%20actions](https://www.dit.sa.gov.au/movingtraffic#:~:text=Keeping%20Metro%20Traffic%20Moving%20(KMTM,term%2C%20low%2Dcost%20actions)

SA's Transport Action Plan

https://dit.sa.gov.au/_data/assets/pdf_file/0016/1100932/DIT_Forward_Work_Plan_-_Major_Programs_2022-2025.PDF

Productivity Commission 2021, Public transport pricing, Research paper, Canberra

<https://www.pc.gov.au/research/completed/public-transport/public-transport.pdf>

Fares in metropolitan Adelaide

<https://www.adelaidemetro.com.au/tickets-and-fares/adelaide-metro-fares>

Fares in regional SA

<https://www.adelaidemetro.com.au/plan-a-trip/regional-buses>

Flinders University, Autonomous Vehicle (AV) Phase 2 trial

<https://www.flinders.edu.au/flex-bus>

2020 Rail Access Regime Review Report, Essential Services Commission of SA

<https://www.escosa.sa.gov.au/ArticleDocuments/21535/20200828-Rail-AccessRegimeReview-FinalReport.pdf.aspx?Embed=Y>

State Planning Commission, Integrated Movement Systems Background Paper 2018

https://plan.sa.gov.au/_data/assets/pdf_file/0003/484005/Integrated_Movement_Systems_Background_Paper.pdf

SA Road Safety Strategy

https://www.thinkroadsafety.sa.gov.au/road_safety_strategy

Wellbeing SA Walking Strategy

<https://www.wellbeingsa.sa.gov.au/our-work/healthy-places-people/physical-activity/walking-strategy>

SA Draft Cycling Strategy 2022-25

https://dit.sa.gov.au/_data/assets/pdf_file/0016/1004272/Cycling_Strategy_Refresh_Draft_11022022.pdf

SA government, Road safety

https://thinkroadsafety.sa.gov.au/road_safety_strategy/road_safety_strategy_to_2031/what_we_know_about_road_safety_in_south_australia/what_road_safety_looks_like_for_different_users

https://thinkroadsafety.sa.gov.au/road_safety_strategy/road_safety_strategy_to_2031/principles_for_decision_making_and_investment

SA government, E-scooter trials and rules

<https://mylicence.sa.gov.au/road-rules/e-scooter-trial>

The Conversation article

<https://theconversation.com/whos-liable-if-youre-injured-or-killed-riding-an-e-scooter-187436>

APPENDIX 4 – E-scooter laws, road rules and penalties

The only e-scooters allowed to be used in the trial areas are those operating subject to a business permit issued by the relevant local city council. For more information about each trial, please refer to above detail.

Riders:

- Must be at least 18 years old
- Must wear an approved bike helmet that is securely fitted
- May ride on footpaths and shared paths unless otherwise prohibited
- May ride on a road only when crossing or to avoid an obstruction for up to 50m. If road travel is required, riders:
 - Must travel less than 50m along the road to avoid the obstruction;
 - Must keep as far to the left as possible; and
 - Must obey any traffic signals.
- Must NOT ride on a road:
 - with a dividing line or median strip, or
 - where the speed limit is greater than 50 km/h
 - which is one-way with more than 1 marked lane
 - if otherwise prohibited
- Must not ride in a bike lane or bus lane
- Must use a warning (e.g. bell, horn or verbal) to avert danger
- Must have proper control at all times and ride with due care and reasonable consideration for other persons
- Must use a flashing or steady white light at the front and a flashing red light and reflector at the back of the device when riding at night or in hazardous conditions
- Must use a flashing or steady white light at the front and a flashing red light and reflector at the back of the device when riding at night or in hazardous conditions
- Must not exceed 15km/h or a lesser speed if required in the circumstances to stop safely to avert danger
- Must not ride abreast
- Must not carry passengers
- Must not have a BAC (blood alcohol concentration) of 0.05 or more or the presence of THC (Cannabis), Methylamphetamine (Speed) or MDMA (Ecstasy) in their blood or oral saliva
- Must not use a mobile phone whilst riding
- Must not carry scooters on public transport

<https://mylicence.sa.gov.au/road-rules/e-scooter-trial>

Accessed on 5th August 2022

Example of offences that may apply*	Expiation*	Max Penalty
Riding at speed exceeding 15km/h	\$190	\$2500
Failure to wear a helmet	\$113	\$2500
Riding without due care or attention	\$113	\$2500
Failure to maintain proper control	\$113	\$2500
Carrying, being carried as, a passenger	\$113	\$2500
Riding abreast of another scooter or skateboard	\$62	\$2500
Failing to warn a pedestrian with a bell, horn or other warning device	\$62	\$2500
Riding at night without lights	\$62	\$2500
Riding on a road with a dividing line or >50km/h	\$62	\$2500
Riding on a road with 2 or more marked lanes	\$414	\$2500
Riding under age 18	\$327	\$2500

* An additional \$92 Victims of Crime Levy applies. Other road rules and laws may apply.

Severe penalties apply to drivers who commit drink and drug driving offences in South Australia. Penalties may include fines, licence disqualification, demerit points and even imprisonment in some cases. [More information on road rules, offences and penalties.](#)

<https://mylicence.sa.gov.au/road-rules/e-scooter-trial>

Accessed on 5th August 2022



Parliament of
South Australia
