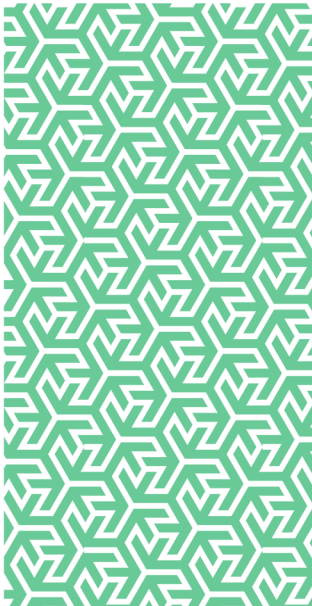




Risk control

E-Scooters on Higher Education Campuses



In partnership with



In partnership with



E-Scooters on Higher Education Campuses

Introduction

Love them or hate them – e-scooters appear to be here to stay in the UK. Popularity for these two wheeled scooters with small electric motors has rocketed in recent years leaving us divided on whether they are a road menace or a commute saviour.

E-Scooters are freely available to buy in the UK – both online and in stores and can cost anywhere between £100 and £1,000. Whilst purchasing an e-scooter is straightforward; using and insuring them is not.

Having a clear and robust approach to the management and use of e-scooters on university campuses is crucial to ensure the safety of riders, pedestrians, and the overall community.

The purpose of this guidance document is to provide clarity around the rules and regulations for e-scooter use to ensure compliance with the legislation.

Are E-Scooters Legal?

It is currently legal to buy an e-scooter and to use it on private land, but not on the public highway. The only exception is if the e-scooter has been rented from a legitimate rental company, which can be used on the public highway.

E-Scooters are classified as “powered transporters.” This also covers a range of other personal transport devices which are powered by a motor.

“Powered transporters” fall within the legal definition of a motor vehicle under the Road Traffic Act 1988. Therefore, the rules that apply to motor vehicles, also apply to e-scooters.

It is not legal to use a powered transporter:

- on a public road without complying with a number of legal requirements, which potential users may find difficult to address
 - in spaces that are set aside for use by pedestrians, cyclists, and horse-riders. This includes pavements and cycle lanes
- As a motor vehicle, they must comply with various pieces of road traffic legislation, including but not limited to:
- Driving with a licence
 - Driving/riding with insurance
 - Driving/riding other than on a road
 - Need to be taxed.

It is not currently possible to acquire appropriate insurance for privately owned e-scooters, meaning it is illegal to use them on the road or in public spaces¹.

As stated, it is legal to use e-scooters on private land, and this may include some university campuses. It is essential that institutions consider the risks before granting or prohibiting permission to use e-scooters on their land.

Institutions as landowners owe a duty of care to all those who come onto its premises, whether they are staff, students, visitors, contractors, or members of the public. Developing a clear policy and arrangements stating whether e-scooters are permitted onto their campuses or not is essential. This should be communicated internally to staff, students, visitors and contractors. The institution should consider appropriate signage informing members of the public of the permission status for the use of e-scooters.

If the use of e-scooters is granted by the institution then consideration of additional measures such as setting designated areas for use, prohibiting use in areas of high pedestrian traffic and setting maximum speeds should be undertaken. Any measures identified should be communicated clearly setting the institutions expectations. It can be beneficial to run e-scooter safety campaigns using various communication channels for maximum reach where the importance of adhering to speed limits and wearing appropriate protective equipment is emphasised. Outlining consequences of non-compliance to users is essential to support the implementation of any management arrangement for e-scooters.

Enforcement

Local Police forces can enforce the law and prosecute for ‘powered transporter’ offences².

The most appropriate action for the circumstances will be given, these include:

- Fixed Penalty Notice for no insurance, with a £300 fine and six penalty points
- Fixed Penalty Notice for no driving licence, up to £100 fine and three to six penalty points.

The police can also act against rider behaviour, whether private or rental. Offences could include:

- Riding on the footway: Fixed Penalty Notice and possible £50 fine
- Using a mobile phone: £100 and six penalty points
- Riding through red lights: Fixed Penalty Notice, £100 fine and possible penalty points

- Drink driving offences: As with driving cars; court-imposed fines, driving ban, and possible imprisonment.

The recommendation from the Police is to always wear safety protection such as a helmet when riding these vehicles, and to keep to the speed limit³.

There have been cases processed through the courts such as the case of *Winter v DPP* (2002). In this case the High Court considered the use of a 'City Bug' electric scooter, and whether its user was bound by the compulsory insurance requirements. It found that it was and that the appellant had been properly convicted of the offence of driving a vehicle without insurance⁴.

Following the surge in use of e-scooters, a Police 'crackdown' was launched and 507 e-scooters were confiscated by the Metropolitan Police in a week in June 2021 during proactive patrols across London⁵.

Use of e-scooters requires management on campuses. Identifying resources that will monitor and enforce the institutions policies and procedures is critical to ensure that the environment remains safe. Establishing a reporting mechanism for any e-scooter related incidents and encourage the reporting of unsafe use and behaviours should be encouraged.

Safety

Many e-scooters have speed limiters fitted to restrict speed to 15.5mph but without this they could potentially reach 30mph. Some e-scooters only maintain a single brake which can make stopping problematic at high speeds.

It is believed that the first e-scooter fatality in the UK was that of television presenter and You Tube star Emily Hartridge. Emily died in July 2019 when her e-scooter collided with a lorry on a roundabout in Battersea, South West London⁶.

Risks associated with riding e-scooters are well known. Brining e-scooters into university buildings will inevitably lead to the creation of obstructions, either in work areas or along routes comprising a means of escape from a building. Clear arrangements should be implemented and communicated to users of e-scooters on safe storage requirements.

Charging of e-scooters presents a significant risk of fire. Our guidance document 'E-Bikes and E-Scooters: The Perils of Lithium-ion Batteries' will provide additional information on these risks.

Liabilities

E-Scooters have the potential to impact the covers of Motor, Public Liability, Personal Accident, and/or Employers Liability depending upon the locality and the insurers' interpretation.

As employers, thoughts should be turning to the risks associated with employees who may use either their own or a rental e-scooter to travel to and from work or in between meetings and what exposure this presents to the institution.

Summary

There is no doubt, that as an alternative mode of transport e-scooters have a favourable impact on climate change, air quality, and congestion, but with the increase in use, accident and injury rates are likely to rise.

The Department of Transport factsheet that examines the main trends in collisions involving e-scooters was updated in September 2024 providing the following statistics for the reporting year 2023⁷:

- There were 1,292 collisions involving e-scooters, compared to 1,411 in 2022
- Of all collisions involving e-scooters, 284 included only one e-scooter with no other vehicles involved in the collision (single vehicle collision), compared to 347 in 2022
- There were 1,387 casualties in collisions involving e-scooters, compared to 1,502 in 2022
- Of all casualties in collisions involving e-scooters, 1,117 were e-scooter riders compared to 1,154 in 2022
- There were 6 killed in collisions involving e-scooters (6 of whom were e-scooter riders) compared to 12 in 2022
- Our best estimate, after adjusting for changes in reporting by police – is that there were 416 seriously injured and 965 slightly injured in collisions involving e-scooters, this compares to 411 and 1,049 respectively in 2022.

The statistics clearly show significant instances in incidents involving e-scooters. These statistics should be used to inform institutional policies on the use of e-scooters.

A recent study from the US found that 45 per cent of e-scooter accidents resulted in head injuries, many involving traumatic brain injuries. Many of these could have been prevented or lessened had a suitable helmet been worn (the study found very few riders wore them) and the e-scooter accident rate was 14.3 per 100,000 trips, potentially making riders sixteen times more likely to be injured than car drivers and nine times more likely than cyclists. A significant percentage of accidents involved alcohol⁸.

Conclusion

E-scooter use is here to stay, and so institutions should have effective policies and arrangements in place to manage the risks that the use of e-scooters bring.

Setting key rules to users for e-scooter use on campus will ensure that the institutions expectations are communicated to all potential riders.

Running safety campaigns reiterating the importance of safety and community responsibilities will help to improve the understanding of riders and the wider communities affected by e-scooter use.

References

1. Metropolitan Police
<https://www.met.police.uk/advice/advice-and-information/rs/road-safety/advice-escooters/>
2. Department for Transport
<https://www.gov.uk/government/publications/powered-transporters/information-sheet-guidance-on-powered-transporters>
3. Metropolitan Police
<https://www.met.police.uk/advice/advice-and-information/rs/road-safety/advice-escooters/>
4. Patterson Law <https://www.pattersonlaw.co.uk/electric-scooter-use-legal-clarification-june-2021/#:~:text=In%20the%20case%20of%20Winter%20v%20DPP%20%E2%80%93,the%20offence%20of%20driving%20a%20vehicle%20without%20insurance>
5. Sky News
<https://news.sky.com/story/more-than-500-e-scooters-seized-in-just-one-week-as-police-launch-crackdown-12341135>
6. The Guardian
<https://www.theguardian.com/uk-news/2019/jul/13/tv-presenter-emily-hartridge-dies-in-scooter-crash>
7. Department of Transport
[Reported road casualties Great Britain: e-Scooter factsheet 2023 - GOV.UK](#)
8. The Standard
<https://www.standard.co.uk/comment/london-e-scooter-risk-speed-trial-b940926.html>

Further information

For access to further RMP Resources you may find helpful in reducing your institution's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

Get in touch

For more information, please contact your broker, RMP risk control consultant or account director.

contact@rmpartners.co.uk



Risk Management Partners

The Walbrook Building
25 Walbrook
London EC4N 8AW

020 7204 1800
rmpartners.co.uk

This newsletter does not purport to be comprehensive or to give legal advice. While every effort has been made to ensure accuracy, Risk Management Partners cannot be held liable for any errors, omissions or inaccuracies contained within the document. Readers should not act upon (or refrain from acting upon) information in this document without first taking further specialist or professional advice.

Risk Management Partners Limited is authorised and regulated by the Financial Conduct Authority. Registered office: The Walbrook Building, 25 Walbrook, London EC4N 8AW. Registered in England and Wales. Company no. 2989025.