

Reviewing the law for powered mobility devices

Proposal

We are seeking views on changing the rules for using powered mobility devices, including powered wheelchairs and mobility scooters, on public roads and pavements.

This includes:

- updating the words we use in law to describe powered wheelchairs and mobility scooters and who can use them
- where these devices can be used – on roads, pavements or elsewhere
- changing the rules around size, speed and age for using larger devices
- whether people should be allowed to carry a passenger
- whether other types of devices should be allowed on public roads or pavements when used by disabled people or a person with reduced mobility

To help guide our policymaking on if and how much to change the existing legislation, we have suggested 4 objectives for this proposed reform, on which we would like your views.

Objective 1 – Allow people who need a mobility device to use it

Disabled people who clinically need a mobility device should legally be able to use it. These people may not have a choice in the device they can use to aid their mobility, and if they are not able to use it legally on the pavement their independence may be severely affected.

Objective 2 – Allow greater choice

There are some devices, that if we allow their legal use, will improve disabled people's ability to travel easily and with dignity. Whilst there may not always be an immediate clinical need for such a device, we may be able to facilitate their legal, safe and responsible use on the public highway, which could improve quality of life.

Objective 3 – Protecting people's perceptions of safety

We must ensure that people feel safe when using the road and pavement, particularly those who are at greater risk, such as those with sight and hearing loss, children and older people.

Objective 4 – Protecting people's safety

We must ensure that people are safe when using the road and pavement. Therefore, any changes to the legislation governing what powered mobility devices can be used on the public highway should not adversely introduce new safety risks for device users and the general public.

[Full information is given in the consultation material.](#)

1. To what extent do you agree or disagree with the objective of:

Objective 1, allow people who need a mobility device to use it

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

Objective 2, allow greater choice

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

Objective 3, protecting people's perceptions of safety

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

Objective 4, protecting people's safety

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

2. If you 'disagree' or 'strongly disagree' explain what you think our objectives should be for reviewing the law for powered mobility devices?

The overall aim of these legal changes must be to provide everyone with the right to pedestrian mobility and the right to cycling equivalent mobility with a least-restrictive, safe and future-proofed definition of mobility aids which removes many of the barriers that are presently restricting disabled people from obtaining and using appropriate, safe, convenient, cost-effective mobility devices.

Objectives 3 and 4 focus on safety and we obviously agree that people should both be safe and also feel safe when using public spaces, including roads and pavements. However, the risks inherent in enabling equitable pedestrian and cycling or cycling-equivalent mobility for disabled people are minimal compared to the risks and harms from other sources, such as motorised traffic or the failure to ensure the wider benefits arising from providing improved rights and access to mobility.

As such, we would support the following objectives, as proposed by Wheels for Wellbeing:

1. To provide equal pedestrian access and mobility rights for disabled people using a full range of mobility aids at pedestrian speeds in pedestrian spaces.
2. To provide equal cycling and cycling-equivalent access and mobility rights for disabled people using a full range of mobility aids at cycling-equivalent speeds in all relevant cycling-permitted spaces.

Changing the term 'invalid carriage'

The term ['invalid carriage' is used in legislation to include powered wheelchairs and mobility scooters](#). The [legislation containing this definition dates back to 1970, and language has moved on and changed](#). We recognise that many people now find that term inappropriate and we are considering changing it to use language that treats disabled people with dignity.

To date, there has been no consensus from people impacted by the legislation on a different term for an 'invalid carriage'. Given the broad set of mobility options we are considering could be used in future, we have proposed they be called 'mobility devices'.

3. To what extent do you agree or disagree that an 'invalid carriage' should instead be called a 'mobility device' in law?

Strongly agree (Go to 'Who can use powered mobility devices')

Agree (Go to 'Who can use powered mobility devices')

Neither agree nor disagree (Go to 'Who can use powered mobility devices')

Disagree

Strongly disagree

Don't know (Go to 'Who can use powered mobility devices')

'Invalid carriage' alternative

4. What would be your preferred alternative term?

In reviewing the relevant legal definitions, consideration must also be given to what term should be used in law to refer to devices of comparable function, speed and size to "invalid carriages" that are used as mobility aids by disabled people, but which are not included in the current regulations. The new terminology will need to encompass and facilitate the legal use in public spaces of a wide range of devices as mobility aids.

Who can use powered mobility devices

As part of the definition of an 'invalid carriage', the [Chronically Sick and Disabled Persons Act 1970 \[opens in a new window\]](#) requires it to be for the use of a "person suffering from some physical defect or disability". Again, this wording dates back to 1970.

We are suggesting changing how we describe someone who uses a powered wheelchair or mobility scooter from "a person suffering from some physical defect or disability" to 'A disabled person, or person with reduced mobility'?

5. To what extent do you agree or disagree that the description of someone who is permitted to use a powered wheelchair or mobility scooter should be changed to 'A disabled person, or person with reduced mobility'?

Strongly agree (Go to 'Where they can be used')

Agree (Go to 'Where they can be used')

Neither agree nor disagree (Go to 'Where they can be used')

Disagree

Strongly disagree

Don't know (Go to 'Where they can be used')

Alternative description

6. What would be your preferred alternative description?

Where they can be used

Currently, [Class 1, 2 and 3 mobility devices](#) can all be used on pavements, other pedestrian areas, and bridleways at a maximum powered speed of 4 miles per hour (mph). They can also be used in cycle tracks (with 4mph limitation) which are segregated from the road.

Class 3 mobility devices can be used on most roads at a maximum speed of 8mph, excluding motorways and bus lanes.

Class 1, 2 and 3 mobility devices cannot be used in cycle lanes, which are reserved for pedal cycles, including electrically assisted pedal cycles (EAPCs), and rental electric scooters in government-run trial areas only.

7. Do you currently use a mobility device?

I use a Class 1 mobility device

I use a Class 2 mobility device

I use a Class 3 mobility device

I do not use any of these mobility devices

Responding on behalf of an organisation.

8. To what extent to you agree or disagree that:

Class 1 mobility devices should be entitled to use on road cycle lanes

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

Class 2 mobility devices should be entitled to use on road cycle lanes

Strongly agree

Agree

Neither agree nor disagree

Disagree
Strongly disagree
Don't know

Class 3 mobility devices should be entitled to use on road cycles lanes

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree
Don't know

Wheelchair power add-ons should be entitled to use on road cycle lanes

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree
Don't know

People using mobility devices should be entitled to use them on road cycle lanes. People currently using cycles not dissimilar to mobility devices are permitted to use all cycle lanes, cycle tracks, bus lanes and both on-road and off. People who are disabled or who have reduced mobility should be able to enjoy the same rights.

Continuing to exclude people using mobility devices from on-road cycle lanes can prevent disabled people from making safe journeys to destinations such as workplaces, schools, healthcare and shops, and restricts disabled people to either using pavements at walking speed or sharing road space with motor vehicles if they need to move faster, exposing them to unnecessary road danger.

9. To what extent to you agree or disagree that:

Class 1 mobility devices should be entitled to use off road cycle tracks

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree
Don't know

Class 2 mobility devices should be entitled to use off road cycle tracks

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree
Don't know

Class 3 mobility devices should be entitled to use off road cycle tracks

Strongly agree
Agree

Neither agree nor disagree
Disagree
Strongly disagree
Don't know

Wheelchair power add-ons should be entitled to use off road cycle tracks

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree
Don't know

The Land Reform Act 2003 provides the right of responsible access to people using “a vehicle or vessel which has been constructed or adapted for use by a person who has a disability and which is being used by such a person” This right of responsible access should be protected in any legislative changes.

Device weight

Currently, excluding the user, a [Class 1 and Class 2 mobility device has a maximum weight of 113.4 kilograms \(kg\) and a Class 3 mobility device has a maximum weight of 150kg](#), unless either Class requires necessary user equipment attached to them (like specialist medical equipment), in which case the maximum limit is 200kg.

The 200kg weight limit increase was introduced in 2015 and was chosen to reflect the needs of wheelchair users to have additional weight capacity for their wheelchairs. In addition, the operational capacity of boarding lifts and ramps for public service vehicles, such as buses or trains are required to have a safe working load of not less than 300kg (as established by the [Public Service Vehicle Accessibility Regulations 2000](#)).

Some people have told us that the weight of some devices can exceed the regulatory threshold of 200kg. Sometimes this may be due to additional components being required such as batteries, elevated leg rests, seat risers, and headrests.

We would need to consider the safety implications of increasing the weight limit further, particularly on things like braking to prevent collisions with pedestrians, as well as interaction with other parts of the transport system, like boarding lifts and ramps. For example, it may be that heavier mobility devices would not be able to use public transport. We would like to understand your views on this measure.

10. To what extent do you agree or disagree that the current maximum weight limit of a powered mobility device (200kg) reflects the needs of users?

Strongly agree (Go to 'Speed')
Agree (Go to 'Speed')
Neither agree nor disagree (Go to 'Speed')
Disagree
Strongly disagree
Don't know (Go to 'Speed')

Weight reasoning

11. Should there be any restrictions on how the increased weight is specified?

Yes

No (Go to 'Speed')

Don't know (Go to 'Speed')

Increased weight specification

12. What restrictions should there be on how the increased weight is specified?

The question of categories for mobility devices and their permissible weights is complex and should be fully considered in the broader scope of this consultation to ensure that everybody enjoys unrestricted and equal access to a range of mobility options that meet their needs, whilst taking account of any implications for safety and use on public transport.

In doing so it is critical that the views and experiences of disabled people of the existing regulations inform the review. For example, Wheels for Wellbeing exists to enhance disabled people's lives by ensuring that anyone can access the physical, emotional, practical and social benefits of cycling. Their work is user-led and informed by the practical experiences of disabled people.

As such, we would support their proposals for three new mobility device categories, defined by factors such as maximum dimensions and weight; factors which are helpful in ensuring access via ramps, lifts and to vehicles. The proposed categories are:

1. An "everyday device" category for use in all spaces, including homes, venues, public transport and public spaces
2. A "middle-sized" category device for use in all public transport and all public spaces, and to access other spaces as is judged reasonable
3. An "outsize" category device for use in all public spaces, and to access other spaces as is judged reasonable

Where devices fall outside a relevant category, users should still have the right to access spaces where the device can be shown to reasonably and safely fit. Any weight restrictions applied should be specified for laden, rather than unladen, weights which is the case under the existing regulations.

13. Why do you think this (including any evidence you have to support your reasons)?

These new categories would provide the right for disabled people to use devices such as power add-ons, cycles, e-cycles, e-scooters and future devices as mobility aids.

Laden weights of devices determine whether a person using a device will be able to use lifts, ramps and public and private transport vehicles.

[Attach relevant documentation to your response]

Speed

When a Class 1, 2 or 3 mobility device is used on a pavement it must not go faster than 4 miles per hour, though Class 3 devices are permitted to go up to 8 miles an hour when used on the road. To put this into context, the National Health Service (NHS) advises that a brisk walk is about 3 miles per hour.

14. To what extent do you agree or disagree that powered mobility devices should be allowed to go faster than 8mph on the road?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

15. To what extent do you agree or disagree that powered mobility devices should be allowed to go faster than 8mph in cycle lanes?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

16. If you 'strongly agree' or 'agree', what do you think the top speed limit should be?

Mobility aid users will remain excluded from making local journeys at speeds comparable to cycling or jogging/running if devices remain limited to 4/8mph. The extra time required for disabled people's journeys compared to non-disabled people's journeys will continue to exclude many disabled people from education, work and participation in society. Therefore, disabled people should have the right to use mobility devices at cycling-equivalent speeds in cycle-permitted spaces.

To maximise equality with the mobility afforded to non-disabled people, the maximum powered speeds for mobility devices used in public spaces (roads and cycle lanes) could be aligned with either the limits currently set for electrically assisted pedal cycle or e-scooters of 15.5mph or with any future speed limits set for micromobility devices.

17. What additional safeguards, if any, do you think should be introduced for individuals using powered mobility devices capable of speeds above 8mph to help ensure their safety and the safety of others?

It would be unreasonable and potentially discriminatory to place any additional safeguards or restrictions on the use of mobility devices by disabled people beyond those applied to the use of comparable devices largely intended for use by non-disabled people.

The existing safeguards relating to the use of powered mobility devices, including safety technology, road traffic law and the Highway Code are applicable to all users, not just disabled people.

Responsible use of mobility devices by disabled people should be governed by the same regulations that already prohibit dangerous and antisocial behaviour by all people walking or cycling in public spaces, as relevant to device type and its use at the time.

Minimum age

A Class 1 mobility device is typically a wheelchair, that is propelled by the user or is pushed by an attendant. A Class 2 device is a powered wheelchair or mobility scooter designed for use on pavements which must not exceed a powered speed of 4 miles per hour. A Class 3 device is a powered wheelchair or mobility scooter, that must be fitted with a device to ensure the powered speed does not exceed 4 miles per hour on pavements and the powered speed on the road must not exceed 8 miles per hour.

Currently there is no minimum age for the user of a Class 1 or Class 2 device. There is a minimum age of 14 for a Class 3 device for safety reasons.

18. To what extent do you agree or disagree that users of mobility devices on the road should be at least 14 years old?

Strongly agree (Go to 'Carrying others')

Agree (Go to 'Carrying others')

Neither agree nor disagree (Go to 'Carrying others')

Disagrees

Strongly disagree

Don't know (Go to 'Carrying others')

19. In your view what should be the minimum age for users of mobility devices (in years)?

Below 10 No minimum age.

10

11

12

13

14

15

16

17

18

19 and older

Cycling Scotland manages the development of national standard cycle training, including Bikeability Scotland, within Scotland, and is represented on the Cycle Training Standards Board. The Department for Transport's [National Standard for Cycle Training](#) is described as a “holistic statement of cycling competence for all people, embracing all abilities, who ride any type of cycle, everywhere cycling is permitted, in all weather and traffic conditions, at any time of day or night.”

To ensure that training is inclusive, Cycling Scotland is committed to ensuring reasonable adaptation. In particular, with Bikeability Scotland, where with enough information and notice from responsible adults, local authority instructor teams can put in place measures that support a young person to participate – this may include access to appropriate resources including adapted cycles.

In the last 12 months local authority coordinators have highlighted circumstances where a powered-assist cycle would have supported a young person to participate in Bikeability training. The current legal age limit means this would be unlawful. There would be advantages in formally recognising situations where use of an electrically assisted power cycle would support younger learners to access training and make independent trips.

Carrying others

In the UK, users of powered mobility devices are not legally permitted to carry passengers. However, we understand that some people would like to travel with either their carer, dependent or spouse.

20. Do you agree or disagree that an additional passenger should be allowed to be carried on a mobility device?

Strongly agree

Agree

Neither agree nor disagree (Go to 'Observations')

Disagree (Go to 'Observations')

Strongly disagree (Go to 'Observations')

Don't know (Go to 'Observations')

Additional passenger

21. In your view which of the following conditions, if any, should be applied for an additional passenger to be carried on a mobility device?

The passenger has a seat

The passenger is secured in position

The passenger is necessary for the users mobility

The passenger is a child

The passenger is over a certain age

Another restriction:

Passenger age

22. What is your preferred minimum age for the additional passenger in years?

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19 and older

There should not be a minimum or maximum age for passengers carried on mobility aids.

Observations

23. What, if any, other observations about powered mobility devices do you want to share with us?

In keeping with the need to ensure equal access to all mobility options, disabled people should have the explicit right to use mobility devices at pedestrian speeds in all pedestrian spaces. Disabled people will continue to be excluded from using safe, practical devices unless they are permitted to use all mobility aids at appropriate pedestrian speeds in pedestrian spaces: if you cannot dismount and walk to a destination and may not use your mobility aid on the pavement you simply cannot legally complete your journey.

Issues concerning battery safety for powered devices, and access refusals resulting from these concerns, also need to be addressed to ensure full equality of mobility for all. Current issues are largely due to concerns about dangerous uncertified batteries used on illegal motor vehicles, including e-motorcycles, e-scooters and modified e-bikes. Improved awareness is required to ensure disabled people using correctly certified powered mobility devices are not refused access to, or prevented from charging devices in, their homes, workplace, public transport or other places. Equally, stricter regulation is required of the marketing, sale and use of dangerous, unsafe and uncertified batteries in powered vehicles to alleviate these concerns.

Wheelchair with power add-on attachments as mobility devices

Advancements in technology have led to a range of options which can improve people's mobility. This includes devices which do not currently meet the 'invalid carriage' regulatory requirements, such as power add-ons or handcycle attachments.

The current legal speed limit for a Class 2 and Class 3 mobility device on the pavement or other pedestrian area is 4 miles per hour and, if it's a Class 3, 8 miles per hour on the road. The types of devices we are about to discuss are typically capable of exceeding the 8 miles per hour.

We want to learn from this consultation if these devices when used by a disabled person or someone with reduced mobility should be legally classified as a powered mobility device.

24. To what extent do you agree or disagree that a wheelchair with power add-on attachment should have the same rights and restrictions in law as a Class 3 powered mobility device?

Strongly agree (Go to 'Wheelchair with handcycle or e-handcycle attachments as mobility devices')

Agree (Go to 'Wheelchair with handcycle or e-handcycle attachments as mobility devices')

Neither agree nor disagree (Go to 'Wheelchair with handcycle or e-handcycle attachments as mobility devices')

Disagree

Strongly disagree

Don't know (Go to 'Wheelchair with handcycle or e-handcycle attachments as mobility devices')

Restriction choices

The current legal speed limit for a Class 3 mobility device is:

- 4 miles per hour on the pavement or other pedestrian areas
- 8 miles per hour on the road.

A Class 3 mobility device has a maximum weight of 150kg, unless it requires necessary user equipment attached to it (for example specialist medical equipment), in which case the maximum limit is 200kg.

25. What different restrictions, if any, should wheelchairs with power add-on attachments have?

They should not be used on the pavement

They should not be used on the road

They should have a lower maximum weight

They should have a higher maximum speed on the road

There should not be any other restrictions

Another restriction:

The aim of the new regulations must be to provide disabled users of all mobility aids, of any kind, with equal pedestrian and cycling or cycling-equivalent mobility rights compared to all non-disabled people.

Wheelchair with handcycle or e-handcycle attachments as mobility devices

Advancements in technology have led to a range of options which can improve people's mobility. This includes devices which do not currently meet the 'invalid carriage' regulatory requirements, such as power add-ons or handcycle attachments.

The current legal speed limit for a Class 2 and Class 3 mobility device on the pavement or other pedestrian area is 4 miles per hour and, if it's a Class 3, 8 miles per hour on the road. The types of devices we are about to discuss are typically capable of exceeding the 8 miles per hour.

We want to learn if these devices when used by a disabled person or someone with reduced mobility should be legally classified as a powered mobility device.

26. To what extent do you agree or disagree that a wheelchair with a handcycle or e-handcycle attachment should have the same rights and restrictions in law as a Class 3 powered mobility device?

Strongly agree (Go to 'Cycles, e-cycles, and powered transporters as mobility devices')

Agree (Go to 'Cycles, e-cycles, and powered transporters as mobility devices')

Neither agree nor disagree (Go to 'Cycles, e-cycles, and powered transporters as mobility devices')

Disagree

Strongly disagree

Don't know (Go to 'Cycles, e-cycles, and powered transporters as mobility devices')

Wheelchair with handcycle or e-handcycle attachments: different rights and restrictions

The current legal speed limit for a Class 3 mobility device on the pavement or other pedestrian area is 4 miles per hour and, 8 miles per hour on the road.

A Class 3 mobility device has a maximum weight of 150kg, unless it requires necessary user equipment attached to it (for example specialist medical equipment), in which case the maximum limit is 200kg.

27. What different restrictions, if any, should wheelchair handcycles or e-handcycles have?

They should not be used on the pavement

They should not be used on the road

They should have a lower maximum weight

They should have a higher maximum speed on the road

There should not be any other restrictions

Another restriction:

The aim of the new regulations must be to provide disabled users of all mobility aids, of any kind, with equal pedestrian and cycling or cycling-equivalent mobility rights compared to all non-disabled people. There should be guidance in place on responsible use on the pavement which could include slowing down/being ready to give way to pedestrians in busy pedestrianised areas.

Cycles, e-cycles, and powered transporters as mobility devices

Advancements in technology have led to a range of options which can improve people's mobility. Pedal cycles, e-cycles and e-scooters may appeal to disabled people or someone with reduced mobility as a travel option if the user has some level of balance and can get on and off the device with some level of ease.

Currently, pedal cycles and e-cycles (known as electrically assisted pedal cycles (EAPCs) in law) are illegal to use on the pavement. The term powered transporter refers to a range of small, lightweight electric vehicles, such as e-scooters, which are illegal to use anywhere on the road or pavement outside of the government's e-scooter rental trial areas.

The government has committed to pursuing legislative reform to create safe, legal routes for the use of micromobility vehicles like e-scooters when parliamentary time allows.

In this consultation, we want to understand whether these devices should be recognised as 'mobility devices' and treated differently on the pavement and in public places for a disabled person or someone with reduced mobility.

The "other" categories are provided so that users can accurately represent what they ride which may differ from a standard pedal cycle, e-cycle or e-scooter.

28. Which of the following devices do you use, if any, to improve your mobility?

- Pedal cycle
- Other cycle or adapted cycle
- Electrically assisted pedal cycle
- Other e-cycle or adapted e-cycle
- E-scooter
- Other powered transporter
- Another device:

Cycling Scotland is Scotland's national cycling charity, established to represent cycling interests and to increase levels of cycling. Our vision is of a sustainable, inclusive and healthy Scotland where anyone, anywhere can enjoy all the benefits of cycling. Our work is supported by Scottish Government investment in measures to promote travel by active modes and, working with others, we get more people cycling, more safety and easily in a better environment.

The benefits of active travel, and options for travelling other than by private car, must be available to all. We would advocate for changes to the regulations for mobility aids that provide equal access to all mobility options, for disabled people, people

with reduced mobility and non-disabled people, including comparable pedal cycles and electrically assisted pedal cycles.

29. Which devices, if any, would you like to use in the future?

Pedal cycle
Other cycle or adapted cycle
Electrically assisted pedal cycle
Other e-cycle or adapted e-cycle
E-scooter
Other powered transporter
Another device:

All of the devices listed are capable of improving a person's mobility and provide a wide range of new mobility options for disabled people and those with reduced mobility. Aligning such devices with new legislation will afford equal access for all and the new regulations should be capable of adapting to emerging technology in the mobility and micromobility sectors, which continues to drive innovation.

Enforcement and protecting disabled people's right to independence

Concerns have been raised that if we allow people to use pedal cycles, electrically assisted pedal cycles, or powered transporters on pavements and in public places to improve their mobility, there may be misuse of this rule. For example, there may be enforcement challenges in differentiating someone with or without an impairment.

This could lead to risks such as disabled people using a device responsibly and lawfully being challenged and having to evidence their impairment or disability. It could also risk creating an accepted norm of using e-scooters, cycles and e-cycles on the pavement by non-disabled people or for those who are not aware of any future exemptions for disabled people or someone with reduced mobility. This would have wider consequences for pedestrians - particularly those at greater risk, such as those with sight and hearing loss, reduced mobility, children, and older people.

30. In your view, are there any other risks of allowing disabled people or people with reduced mobility to use these devices on pavements and in public places?

In keeping with the need to ensure equal access to all mobility options, disabled people should have the explicit right to use mobility devices at pedestrian speeds in all pedestrian spaces. Disabled people will continue to be excluded from using safe, practical devices unless they are permitted to use all mobility aids at appropriate pedestrian speeds in pedestrian spaces: if you cannot dismount and walk to a destination and may not use your mobility aid on the pavement you simply cannot legally complete your journey.

Therefore, in our view, the focus of this question ignores the more substantial benefits of introducing legislative change that provides equal mobility rights for disabled people and people with reduced mobility, compared to non-disabled people, across the whole range of comparable mobility devices. There is, in fact, significant risk in not facilitating this change.

It would therefore seem more prudent to ask what the benefits of these changes are and what would be the risks of not introducing them. Disabled individuals, families, communities and wider society will gain physical and mental health benefits, education, employment and financial benefits and broader social, community and societal benefits when around 10 million mobility impaired people in the UK have the right to better pedestrian, cycling and cycling-equivalent mobility options.

These benefits would likely far outweigh any risk from legislative change, and it should be reiterated here that disabled people must not be excluded from mobility comparable to that of non-disabled people due to concerns about others' irresponsible behaviour.

Final comments

31. Any further comments?

Disabled people, and people with reduced mobility, must have equal mobility rights to those enjoyed by non-disabled people, including the right to pedestrian, cycling and cycling-equivalent mobility. Existing mobility aid laws do not meet this fundamental principle or meet the requirements of the Equality Act 2010. They do, in fact, create confusion, restrict market innovation and are, in effect, discriminatory, as they limit disabled people's freedom to move and make journeys.

New, high-quality regulations that meet disabled people's needs will enable millions more disabled people to legally use a growing range of existing and innovative safe, convenient, cost-effective, low-carbon devices to move around their homes and communities. This will improve independence, physical and mental health, employment, educational and social options for disabled people and their families. At the moment, a huge proportion of disabled people including individual adults, children, parents and carers, disabled couples, families and friends are prevented from owning and legally using safe, tested and well-regulated mobility aids that would work for them – and that are legal in many other countries already.

This lack of rights to use less well recognised devices as mobility aids, including cycles and other powered and unpowered aids, excludes many disabled people from safe, practical, cost-effective devices for making local journeys. This particularly affects people on low incomes, people living in flats and temporary accommodation, and disabled people who care for children and/or other disabled people. It also has the added drawback of disincentivising the development of new mobility aids, in line with emerging technologies, so excluding disabled people from the benefits of such innovation. The new regulations must ensure that adapted cycles (frequently used as mobility aids by both adults and children) are not misclassified as recreational devices and are not subject to restrictions that reduce their everyday utility.

Cycling Scotland's cycle monitoring data is evidencing an increase in cycling in Scottish cities, such as Glasgow, Edinburgh, Aberdeen and Stirling, where investment in separate cycling infrastructure is providing a safer environment for people to cycle. These cycle lanes are allowing more people to make more active

and sustainable everyday journeys using pedal cycles and electrically assisted pedal cycles, the benefits of which must be available to both non-disabled people and disabled people (or those with reduced mobility) alike.

[Explore the data: how safe infrastructure is helping more people to cycle | Cycling Scotland](#)

[Traffic surveys show continued, substantial growth in people travelling by bike in Scotland | Cycling Scotland](#)

We would therefore strongly advocate for mobility aid regulations that are aligned with the Equality Act (2010), and the UN Declaration on the Rights of People with Disabilities, upholding disabled people's right to equal mobility and access to a wide range of devices as mobility aids. Investment in active travel and new mobility technologies are providing safe, low-cost, low-carbon options for everyday local journeys. While all cycles and e-cycles should continue to be regulated under existing legislation; new, mobility device regulations are required to provide equal access for disabled people, and people with reduced mobility, so that the benefits of improved and active mobility options can be enjoyed by all.