



Department
for Transport

Mr G Irvine
Walthamstow Coroner's Court
Queens Road Walthamstow
E17 8QP

From the Secretary of State
The Rt Hon Mark Harper MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Web site: www.gov.uk/dft

10 February 2023

Dear Mr Irvine,

I was sorry to hear of Fatima Abukar's tragic death and would like to thank you for your investigation and the issues you have highlighted.

I am writing to address your concerns about the marketing practices of e-scooter retailers and riders of hired scooters not being required to wear helmets. My Rt Hon colleague, the Secretary of State for the Home Department will write to you with regards to your concerns about the enforcement and seizure of privately owned e-scooters being used illegally on public land.

As your report highlights, e-scooters outside of the rental trials can only be used on private land with the landowner's permission and they remain illegal to use on public land. Your report highlights the issue of some manufacturers and retailers of e-scooters in England and Wales do not always provide prominent warnings that these private e-scooters are illegal to use on public land. This is an issue the Department is aware of and as a result, last summer the Driver and Vehicle Standards Agency (DVSA) began market surveillance work. To date, approximately 60 retailers have been found to be selling without the full and proper warnings. The DVSA has followed this up with warning letters to remind retailers of their obligations and we have already seen some changes in industry behaviour, with misleading imaging removed and the correct statement of the current law. Under s65 of the Road Traffic Act 1988, the DVSA can take further action against retailers that remain non-compliant which may lead to prosecution of individuals and businesses. Ministerial colleagues at the Department for Transport, most recently the Minister of State for Decarbonisation and Technology in December 2022, have also written to micromobility retailers reminding them of the law. These letters drew specific attention to the advertising concerns in each case.

The e-scooter trials were launched in July 2020 and are currently live in 25 areas across England. These trials are designed to assess the safety of e-scooters, their potential benefits and their impact on public space to help us consider options for future regulation of e-scooters. Cycle helmets are recommended for the trials but are not a requirement, as is the case for bicycles and electrically-assisted pedal cycles. In February 2022 we issued updated guidance to all local authorities and e-scooter operators that further encouraged them to provide helmets and incentivise their use. Whilst this tragic incident did not happen within the trials, I recognise this is an important consideration as the Government plans to bring forward legislation that will allow e-scooters to be regulated. As part of this, we will consult on a range of topics, including helmet wearing.

Yours sincerely,



The Rt Hon Mark Harper MP

SECRETARY OF STATE FOR TRANSPORT