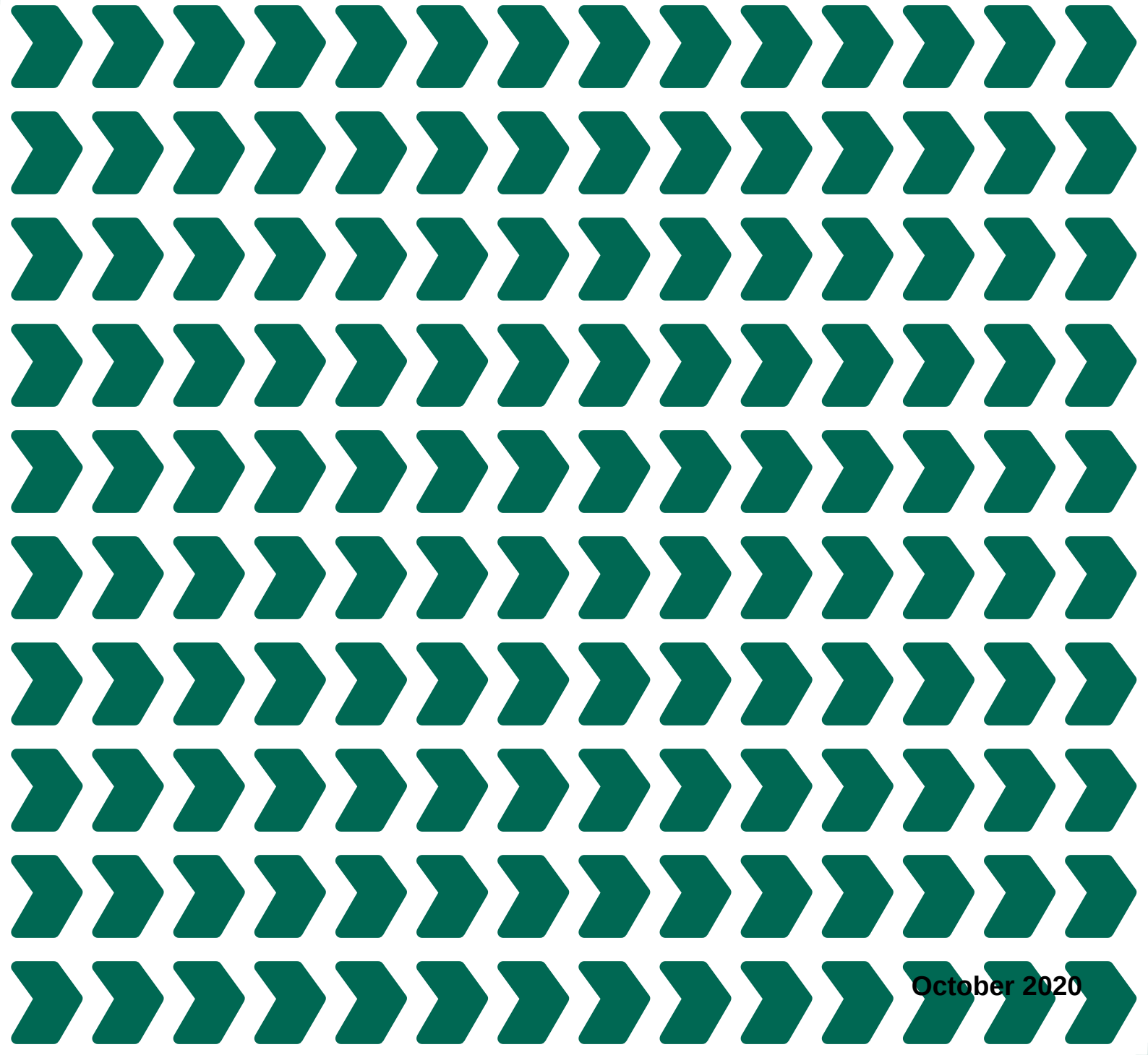
Department for Transport

Future of Transport Regulatory Review

Summary of Responses

Moving Britain Ahead



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Contents

Executive summary

Introduction

The Future of Transport Regulatory Review was launched to ask fundamental questions about how transport is regulated, to achieve a flexible, forward-looking regulatory framework that is fit for the future.

This Call for Evidence in the Regulatory Review ran between 16 March and 3 July 2020. The questions in the Call for Evidence focused on three priority areas of the Regulatory Review:

- Micromobility
- Buses, Taxis and Private Hire Vehicles
- Mobility as a Service

There were also questions relating to:

- Ensuring inclusive future transport
- Enabling trials of new modes
- Local leadership of new transport services
- Further areas of focus for the Regulatory Review

Key findings and next steps in each area

Key findings and next steps in each area are summarised here and presented in more detail in the relevant sections of this response document and also in Section 6 (Next Steps).

Micromobility

- Widespread support for legalising some or all of the micromobility vehicles discussed in the Call for Evidence.
- Overwhelming view that, if micromobility vehicles are legalised, a clear set of regulations is needed.
- Next steps: Trials of rental e-scooters have begun. We will continue to engage with stakeholders on regulatory proposals.

Buses, Taxis and Private Hire Vehicles

- Mixed views on different regulatory approaches for different types of Flexible Bus Service. Those in favour of regulating categories separately felt it allowed for a tailored approach. Those against felt it added unnecessary complexity.

- Dominant view that the area of operation for Flexible Bus Services should be determined by demand. Overall support for relaxing registration requirements and for changes to Bus Services Operator Grant.
- Next steps: The forthcoming National Bus Strategy will look at issues at a sector wide level. We will engage with operators of Demand Responsive Transport type services to understand what the impact of these services has been. We will collate findings from the Rural Mobility Fund schemes and from services deployed in response to Covid-19.

Mobility as a Service

- Strong view that central Government should play a leadership role in development of MaaS platforms, with local authority leadership for trialling in local areas.
- Key themes raised included the need for standardisation of data, reviewing the framework for consumer protection and the difficulty of addressing accessibility concerns through existing regulations.
- Next steps: Large number of respondents suggested that a code of practice for MaaS would be beneficial. We will look to take this forward. We will also continue our work to improve the quality, accessibility and discoverability of transport data.

Ensuring inclusive future transport

- Respondents provided examples from around the world on measures to improve accessibility, mainly focused on disability but some also relevant to other protected characteristics.
- Respondents highlighted the importance of rich and ongoing engagement with stakeholders. Transport providers should be aware of their responsibilities in relation to accessibility.
- Next steps: We will investigate ways to improve awareness of the Equality Act 2010. We have commissioned research to identify areas of risk and opportunity for people with protected characteristics across the main areas of the Regulatory Review. We will work with the Cabinet Office Disability Unit on any inclusive future transport opportunities to align with the upcoming National Strategy for Disabled People, which is due to publish in 2021.

Enabling trials of new modes

- Respondents noted general barriers to trialling and a lack of flexibility in current regulations, for example to efficiently exempt novel vehicles types.
- In addition, respondents outlined some general characteristics around different types of organisations that could help guide future engagement.
- Next steps: We will use these initial findings and learning from current trials to explore what approaches or guidance can be developed.

Local leadership of new transport services

- There were mixed views on local leadership, with support among local government respondents for further devolution, balanced by views of other stakeholders who were cautious about the risks of inconsistency.

- There was also a strong emphasis on the need to share best practice and on knowledge transfer between local authorities.
- Next steps: We will explore what approaches or guidance can be developed and work on any scope for alignment with the upcoming Devolution and Local Recovery White Paper.

Further areas of focus for the Regulatory Review

- View that the Regulatory Review is sufficiently broad to accommodate the most pressing regulatory issues.
- Strong support from respondents for the Future of Transport principles, in particular around sustainability, accessibility and inclusivity.
- Next steps: We will continue to engage with stakeholders to understand what regulatory changes may be needed to support innovation, including for the Category L vehicle sector and in zero emission automated logistics.

Introduction

Background

The way we travel is changing. Technology and innovation are blurring the distinctions between different types of vehicles and services and increasing automation is providing new opportunities and challenges. Some of these changes, such as apps to help plan journeys, electric vehicles, drones and technology to assist drivers are already here. In the next ten years we are likely to see more and greater change.

Since the Future of Transport Regulatory Review was launched, we have seen increased impacts from these changes and also significant shifts in how people travel, arising from the Covid-19 pandemic. This Call for Evidence began just prior to lockdown in the UK. We are grateful to the hundreds of stakeholders, in user groups, local authorities, industry and the wider community, who took time to engage with us positively and insightfully during these exceptional times. Stakeholders told us that the pandemic provided a moment to consider how to reshape transport. We are glad to help take forward that conversation. As we recover from Covid-19, we will put a green recovery for transport at the heart of our decisions, whilst levelling up the economy for the benefit of the people and communities that need it most. Building back greener will make our economy more sustainable and resilient and help us deliver cleaner air and lower carbon emissions.

The Future of Transport Regulatory Review aligns with the Government's overarching ambitions to decarbonise transport and ensure it meets users' needs. During this Call for Evidence, we:

- published Decarbonising Transport Setting the Challenge, as an early step to develop the policies and plans to tackle emissions and decarbonise transport;
- consulted on bringing forward the end to the sale of new petrol, diesel and hybrid cars and vans, to reflect what is needed for the UK to end its contribution to climate change by 2050;
- launched Gear Change: A bold vision for cycling and walking, with ambitious commitments to make cycling and walking the first choice for many journeys, with half of all journeys in towns and cities being cycled or walked by 2030.

Alongside ongoing work on regulatory arrangements for automated vehicles on land, at sea and in the air, and our strategic initiatives on transport data, the Future of Transport Regulatory Review continues to work towards a flexible, forward-looking approach that ensures the benefits of innovation are available to all.

Call for Evidence

The Future of Transport Regulatory Review Call for Evidence ran between 16 March and 3 July 2020. The Call for Evidence invited respondents to submit their views on 39 questions.

The questions focused on three priority areas of the Future of Transport Regulatory Review: Micromobility, Buses, taxis and private hire vehicles, and Mobility as a Service. There were also questions to inform our wider work on the review relating to: Ensuring inclusive future transport, Enabling trials of new modes, Local leadership of new transport services and Further areas of focus for the Regulatory review.

This document summarises the points raised by respondents to the Call for Evidence. The identification of particular suggestions within this document does not mean that we will necessarily take them forward. Similarly, the absence of a suggestion from this report does not mean it will not be considered as we continue to gather evidence, engage with stakeholders and further develop policy.

Structure of this document

Section 2 summarises the responses to questions relating to micromobility vehicles. Section 3 summarises the responses to questions relating to flexible bus services. Section 4 summarises the responses to questions relating to Mobility as Service (MaaS). Section 5 summarises the responses to questions relating to wider issues. Section 6 summarises the next steps on each of the areas.

For further background and context on each of these areas, as well as the Regulatory review more broadly, please refer to the Call for Evidence document.

Overview of respondents

Responses to the consultation were received via email and Citizen Space (an online survey platform). In total, **1066** responses were received: 821 responses from individuals and 245 from organisations.

A wide variety of organisations responded including:

- Local authorities, transport authorities, regional bodies, combined authorities and subnational transport bodies
- Transport operators (large operators and SMEs)
- Technology companies
- Trade associations, consumer bodies and transport interest groups
- User-groups, campaign groups and NGOs
- Regulators
- Accessibility and inclusivity groups
- Academia and research institutes
- Consultancies
- Insurers

We are very grateful for the significant engagement and detailed feedback that we received, despite the backdrop of a very challenging time for many organisations and individuals. We also understand that some organisations did not get to respond, or not in the way they would have wanted to, so would like to emphasise that we hope the Review will be a responsive and iterative process and therefore we will continue to engage with stakeholders throughout.

Micromobility

The first section of the Call for Evidence sought views on a general approach to regulating micromobility vehicles. For further background and context on the questions that were asked, and the examples of micromobility vehicles under consideration, please see Section 2 of the Call for Evidence document.

Alongside the Call for Evidence, the Department consulted on specific regulations to enable trials of rental electric scooters. The consultation and Government response can be found here: https://www.gov.uk/government/consultations/legalising-rental-e-scooter-trials-defining-e-scooters-and-rules-for-their-use.

Opportunities and Risks

Question 2.1

Do you think micromobility vehicles (such as those in Figure B) should be permitted on the road? Please explain why

Summary

There was widespread support for legalising some or all the micromobility vehicles shown in the call for evidence. Many of the responses cited some of the benefits and risks detailed further in question 2.2.

Many respondents said there was a clear demand for micromobility vehicles, demonstrated in how widely used e-scooter have been abroad and the number of people using them illegally in the UK. Several respondents commented that it was inevitable that micromobility vehicles will be used whether legalised or not, and that it would be better to regulate their use than attempt to enforce against this.

Several respondents commented that users switching towards micromobility vehicles would reduce emissions from transport, contributing towards Government's decarbonisation objectives. Many also commented that, should there be a large uptake in micromobility, this would strengthen both the need and justification for reallocation of road space for cycles and other small vehicles.

The overwhelming view in the comments provided was that, if micromobility vehicles are legalised, there should be a clear set of regulations on what vehicles, where and how they could be used.

Most commonly, this was for regulations of minimum vehicle standards though many respondents also wanted insurance, driver licensing or helmet requirements (more details below). A common response was that any regulations must be enforceable.

Of those who said micromobility vehicles should not be legalised, the most common response was that there were significant safety concerns from their use. Concerns raised included the lack of protection for the users in collisions with other vehicles; risks to pedestrians, especially those who could not see or hear the vehicles scooters approaching; the small wheels and high centre of gravity of many micromobility vehicle may make them less stable and less able to deal with potholes; the lack of visibility of e-scooter users, particularly from behind; and that some users may lack the skill or knowledge to use them safety.

Many respondents said that micromobility vehicles couldn't be considered as a single group of vehicles and that there needed to be categorisation of micromobility to distinguish between different speeds and construction of vehicle. E-scooters received the most specific comments and were most widely supported. Other types of micromobility were less widely supported. Many felt that the vehicles requiring balance (such as e-skateboards or self-balancing scooters) should not be allowed. Respondents stated these were much more difficult to control, especially by inexperienced users or if having to react suddenly. A small number of respondents said that any vehicles legalised should have 'three points of contact' between the user and the vehicle, which would permit vehicles with handlebars but prohibit those without.

Some other vehicle types were also raised. A few respondents said that electric mopeds and low-speed electric mopeds should also be considered and included in new legislation.

Question 2.2 a

If you can, please provide evidence to demonstrate the potential:

a) Benefits of micromobility vehicle use

Summary

Several benefits of micromobility were mentioned.

Convenience and practicality

Many respondents said that micromobility vehicles (and e-scooters in particular) were practical vehicles for many types of journey and offered the same convenience they get from cars. Micromobility was seen as most suitable for short-distance journeys of 1-5 miles, with some mentioning journeys that are 'just a bit too far' to walk.

Respondents said that micromobility vehicles are cheaper than buying and running a car and often cheaper than taking public transport. This would be of most benefit to younger people who may face the additional cost of obtaining a car licence and for those from lower socio-economic backgrounds. They also said that journey times were quicker as cycles and mopeds often move faster in urban areas than cars.

Mode shift

Many respondents said that micromobility is a viable alternative to car use and that it could (or for some already is) switching users from cars to smaller, less emitting vehicles. Research cited that the availability of shared transport options leads to people selling cars and driving less. Many respondents noted the high number of car journeys

that are less than 3/ to 5 miles where there is most scope to change behaviour. A switch from cars was expected to be greatest for short journeys and single occupancy journeys. Micromobility would also provide an alternative in areas that are not well served by public transport or outside of normal hours.

Several respondents said that micromobility would ease some burden from public transport, especially following Covid-19 while people are social distancing. However, many said that micromobility would make public transport available to more people who would have to walk too far to local stations. They also said that it was an advantage to be able to take micromobility vehicles onto public transport so that they could be used at the other end of the journey.

Environmental benefits

Lots of respondents said that micromobility vehicles would be good for the environment. They said that emissions would be lower as these are zero-emission, electric vehicles and that this would also improve air quality in towns and cities. Some said even a relatively small mode shift from cars would have a material benefit for emissions and air quality. One respondent noted that environmental benefits would be greater for privately-owned micromobility vehicles, as rental vehicles must be redistributed or collected for charging.

Inclusivity

Many respondents said that micromobility vehicles would assist disabled people or those less able to get about. Vehicles with a seat or which could be controlled by hand were thought to be the most inclusive. Some said the vehicles would also offer an alternative form of transport for those who wouldn't consider switching to cycles because of their fitness, hills they would have to travel up, etc.

Congestion

Many respondents said that micromobility vehicles would ease congestion, mainly as they are smaller than other road-going vehicles. Some respondents cited evidence that increased moped/motorcycle use reduced congestion, while some added that the speed of micromobility vehicles matches the speed of motor vehicles in urban areas. In addition to road space, many respondents said that fewer parking spaces would be needed as, for example, up to 10 e-scooters could park in one car space, allowing parking space to be reallocated.

Deliveries

Respondents said that micromobility could be useful for deliveries, especially in urban areas, and that there could be new vehicle designs to enable this. This would, they said, remove vans and mopeds from the road. Some said that these would only be used for parcels and small deliveries rather than bulky or heavy goods and that the power limit for e-bikes should be increased to support this.

Other

Many said that micromobility would encourage more active travel among users and that, though less effort is needed than for cycles, they were more active than using cars or public transport. Respondents also suggested there would be benefits for mental health and wellbeing.

Several respondents said that micromobility was a growing market and there could be economic opportunities from legalising and leading innovation in the micromobility sector.

Other benefits suggested were that micromobility vehicles would cause less wear or damage to the roads, that increased uptake would improve safety for users, and that uptake would encourage more investment in cycle infrastructure.

Question 2.2 b

If you can, please provide evidence to demonstrate the potential:

b) Risks of micromobility vehicle use.

Summary

Several risks of micromobility were raised.

Safety

The most common risk mentioned was safety, primarily for the user of the micromobility vehicles. Respondents said the vehicles themselves offer little to no protection to the user and often said that the risk comes from potential collisions with larger motor vehicles. Several issues were raised that respondents said to exacerbate the safety risk: speed differences between different types of vehicle, lack of visibility/audibility of micromobility users, the high centre of gravity of e-scooters, small wheels make micromobility vehicles less able to deal with potholes, low rates of helmet wearing, lack of experience of micromobility vehicles and other drivers acting unsafely. Many respondents also commented on the risk to other road users, in particular pedestrians if micromobility vehicles are used on pavements.

Many respondents said that there was insufficient evidence on the safety of micromobility to decide whether they should be legalised.

Wrong kind of mode shift

Many respondents said that users would be more likely to stop walking or cycling than using cars and that legalising micromobility would reduce the amount of active travel by users. Some respondents also said that public transport usage would go down with a consequent reduction in revenue to support services.

Illegal behaviour

Many respondents said that, whatever regulations were in place, many users would break the rules. Respondents said that many do not follow the highway code and there was likely to be use on pavements creating risk for pedestrians, especially disabled people who may not be able to see or hear the vehicles.

Many respondents were concerned that enforcing rules for micromobility vehicles would be difficult and that vehicle registration may be needed to help identify users. Some also raised concerns about how non-compliant vehicles would be detected and that some users would tamper with speed restrictions on the vehicles.

A few respondents commented that this would add extra burden to police and there needed to be clear offences and penalties for ‘drink scooting’ and similar behaviour.

Managing rental schemes

Many respondents said that shared micromobility, such as rental e-scooters, could pose many problems. Many respondents said that parked vehicles were likely to cause disruption, trips hazards and obstruction to pavements, again most severely impacting disabled people. A few suggested that the schemes would only serve city centres and richer areas, so would not be inclusive. Some respondents said that we should learn from the experience of shared cycles and that local authorities needed powers to manage rental schemes, including being able to limit the number of rental operators or vehicles, manage parking requirements and obtain data from service providers. Some said this should apply to all ‘free-floating’ modes of transport, not just e-scooters.

Low risk

Many respondents said the risks posed by micromobility are no greater than they are for cycles or were manageable if clear rules were in place.

Other

Many respondents questioned whether micromobility vehicles would be beneficial for the environment given the short lifespan of the vehicles, their use of batteries and the need to safe disposal. Some suggested that a life-cycle analysis of the environmental impacts is needed.

A few respondents said that micromobility could cause more congestion if micromobility vehicles couldn’t maintain the speed of traffic, which would make life more difficult for road users and interrupt traffic flow.

Some respondents said there was a lack of infrastructure for micromobility vehicles, though over time this would improve.

Other risks raised were that cheap and unsuitable vehicles may be used on the road, that there would need to be consistent rules for use and parking in different local areas, and clarity on whether the vehicles could be taken on public transport.

Question 2.3

If micromobility vehicles were permitted on roads, would you expect them to be used instead of:

Vehicle Type	Often	Sometimes	Never
Private vehicles			
Taxi or private hire vehicles			
Public transport			
Delivery vehicles			
Cycling			
Walking			
Other (please specify)			

Summary

There was a wide spread of responses to this question. Responses said all modes would often or sometimes be used instead of these types of transport. Very few respondents said micromobility would never be used instead of these modes.

Types of journey

Many respondents commented on the types of journeys micromobility vehicles would be used for. Most commonly this was for short commutes, short journeys to the shops or for leisure activities. In many cases, these were journeys that would not otherwise have been completed. Most commonly, responses talked about micromobility replacing private car use for these journeys.

Link up to public transport

Several respondents said that micromobility vehicles would likely increase public transport use by increasing the areas where people could conveniently reach stations. Vehicles such as e-scooters were cited as being ideal for this as the scooters could be folded down and carried on the bus or train and used at the other end. A few respondents said rules for the carriage of micromobility vehicles or storage at stations would need to be addressed.

Increased accessibility using micromobility

Several respondents commented that micromobility vehicles would allow more people to travel, particularly disabled people. They also said that micromobility would be a cheaper and more convenient alternative for those who don't want or need to get a mobility scooter.

Deliveries

Some respondents commented that micromobility could have a niche role in delivering goods, particularly in dense urban areas. Vehicles such as electrically assisted hand carts or carbo bikes would assist with last- mile deliveries.

Use on the road, cycle lanes and cycle tracks

Question 2.4

a. In your opinion, which of the following micromobility vehicles should be permitted, if any, on roads, lower speed roads, and/or cycle lanes and cycle tracks?

- All types
- Electric scooters
- Electric skateboards
- Self-balancing vehicles
- Electrically assisted cycle trailer
- Segway
- Other (please specify)

Summary

Responses were divided on which areas of road space micromobility vehicles should use. The different areas of road space were not treated exclusively, with a large number of respondents and the comments answering that micromobility vehicles should be allowed in more than one type or all types of road space.

As with the question on which micromobility vehicles should be allowed on the road, more respondents agreed that e-scooters and electric cycle trailers should be allowed on the road, compared with electric skateboards or self-balancing vehicles.

A common view throughout responses was that the type of road space a vehicle could use should be based on its characteristics. Therefore faster, more powerful vehicles should be permitted on roads and not cycle infrastructure while slower vehicles could be permitted on both, or cycle infrastructure only. A small number of respondents thought that authorisation for different road spaces should not consider the type of vehicle, and be based solely on speed, size and power.

Question 2.4b

b. Please explain your choices for using micromobility vehicles (or not) on roads and/or only lower speed roads, providing evidence where possible.

Summary

A large number of respondents thought micromobility vehicles should be allowed on the road. Many stated that they should be treated the same as cycles and e-bikes which are permitted on both the road and cycle lanes. Other electric vehicles such as mobility scooters were cited as slower vehicles permitted on the road.

In general, support for allowing micromobility vehicles on roads was higher when considering lower speed roads. Many said that they should only be permitted on lower speed roads (often limiting them to 30mph or 40mph roads). On these roads, they said,

the speed differential between micromobility and other vehicles would be lower and therefore be safer. A small number of comments said that we should consider reducing the speed of cars to make roads safer for micromobility users.

Cycle infrastructure insufficient

For many respondents, use in cycle lanes was preferable to road use but they stated that the lack of cycle infrastructure would limit micromobility to those areas; “the reality of our road network is that it is poorly connected and we already have trouble providing appropriate routes for bikes”. In particular, use on the road was described as essential outside of city centres where there is less dedicated cycle space.

Safety on roads

A common theme in the responses was that the vehicles would need to be proven safe to use the road, either through meeting some minimum vehicle standards or having approval before being used. Many also commented that the users on the road would need to be visible to other road users and have a base level of competence.

Some respondents said that micromobility vehicles should not be permitted on the road as it would be dangerous for these vehicles to interact with larger, faster vehicles. In particular, sharing the road with HGVs was considered dangerous.

Question 2.4c

c. Please explain your choices for using micromobility vehicles (or not) on cycle lanes and tracks, providing evidence where possible.

Summary

Many respondents said cycle lanes were the most appropriate space to use micromobility vehicles. They said their size and speed made them most similar to cycle and e-bikes and they should use the same space. Also, they preferred micromobility vehicles that are speed limited to use the same road space as other vehicles travelling at a similar speed. Some said it was illogical not to allow micromobility vehicles to use cycle lanes simply because they are powered by electricity alone, whereas e-bikes are electrically assisted. Some respondents said each type of micromobility vehicle should be considered separately as not all may be suitable for cycle lanes, for example, e-cargo bikes or cycle trailers which may be wide.

However, a small number of respondents thought the characteristics of micromobility vehicles are different to cycles and they should not share space. Additionally, many said higher speed micromobility vehicles should not be allowed. Some respondents said micromobility should not be allowed on bridleways and unpaved tracks.

Cycle lane use benefits other road space

Several respondents commented that allowing use in cycle lanes would have benefits for other areas of road space. Allowing cycle lane use would avoid increased congestion from micromobility on-road and the need for faster motor vehicles to overtake.

Some respondents also cited research from the US which shows that micromobility users prefer using segregated space away from traffic and that allowing use in cycle lanes would reduce illegal use on pavements.

Improvements to cycle infrastructure

Many respondents said that there were not enough cycle lanes and that lanes need to be wide enough to allow for overtaking. They said limited infrastructure could limit the uptake of micromobility. Some suggested that cycle lanes should instead become 'low-powered lanes', encompassing cycles, e-bikes and various low-powered micromobility vehicles. On shared space, some respondents said that faster micromobility vehicles may not be suitable here as they are more likely to interact with pedestrians.

Question 2.4d

d. What impact do you think the use of micromobility vehicles on cycle lanes and cycle tracks would have on micromobility vehicle users or other road users?

Summary

Largely respondents thought use of micromobility vehicles in cycle lanes would be beneficial. They said having vehicles of similar speeds travelling together was safer for both micromobility users and road users, though in some cases this may discourage cyclists.

Some respondents said that cycle lanes needed to be improved and that widespread use may cause overcrowding in cycle lanes, possibly leading to accidents or more pavement use. However, many respondents said the increased use of cycle lanes may encourage investment in more cycle infrastructure.

Some respondent said micromobility use in spaces shared with pedestrians or where only a painted line separated cycle lanes from the pavement would be dangerous for pedestrians.

Use on pavements and pedestrian areas

Question 2.5

Mobility scooters and pedestrian operated street cleaning vehicles are already permitted on the footway. Should any other micromobility vehicles be permitted to use the pavement or pedestrian areas? If so, which types of devices should be permitted and in what circumstances?

Summary

Overall, a majority of respondents were in favour of some form of pavement use by micromobility vehicles. There was a majority in favour of responses from individuals but not in responses from organisations. Those in favour of pavement use largely commented that they could be used safely on the pavement. Those against stated pavements are intended to be a safe area for pedestrians and that any changes that discouraged walking should be avoided.

Some commented that micromobility should be allowed on pavements as cycle lane provision is poor. They said using micromobility vehicles on pavements would be safer for the user than using them on the road – one respondent noting that the risk to an e-scooter user that is hit by a car would be far greater than to a pedestrian hit by an e-scooter.

A few respondents noted that cycles are often used on the pavement, though not permitted, and expected micromobility vehicles to also be used on pavements irrespective of the law. Some suggested that the law should be changed to reflect how people already behave.

Risks for pedestrians

A very common response for why micromobility should not be allowed on the pavement is that they would present a risk to pedestrians as they change direction quickly and would not be able to see the vehicles approaching from behind. In particular, this risk would be greater for disabled people, particularly those with a visual or hearing impairment and older people and may discourage some from going out at all. Some respondents cited e-scooter use in other countries where they were initially permitted on pavements and later banned following collisions with pedestrians. Some respondents raised concerns that if micromobility becomes very popular, there could be large numbers of vehicles which would be inappropriate for pavements.

Don’t apply a blanket approach

Many respondents stated that a blanket approach to pavement use is not appropriate. They noted that on narrow, busy pavements then micromobility should not be allowed but on quieter, wider pavements they could be used safely. Several suggestions were made such as: allowing micromobility use on pavements alongside high-speed roads and along pedestrian crossings at complex junctions, allowing pavement use only where there is no cycle lane, creating more shared pedestrian/cycle spaces which micromobility could use.

Where general pavement use and use in pedestrianised areas was opposed, a small number of respondents suggested possible exemptions to this. These were to allow for children up to 10 years old to cycle on the pavement, and to allow electrically assisted hand carts for deliveries. Allowing for cycles to be used as a mobility aid was also raised by several key organisations, with no organisations arguing against this.

Rules for pavement use

A large number of respondents thought that, if micromobility vehicles were to be used on the pavement, there should be a lower speed limit similar to walking or running pace. 4 mph was most commonly proposed, matching the limit for mobility scooters, though other limits up to 10 or 12 mph were also suggested. One response noted the difficulty in enforcing lower speed limits on pavements.

Many respondents said micromobility vehicles would generally be used considerately, giving priority to pedestrians. A smaller number said that pedestrians must have priority at all times and that there should be a presumed liability for the micromobility user if there were collisions.

Responses which commented on other pedestrianised areas said that micromobility vehicles could largely be used safely, as these areas were typically larger and more open than pavements.

Comparison to other vehicle types

Many drew comparisons with mobility scooters (which are permitted on the pavement with a reduced speed limit) and thought that vehicles such as e-scooters should have similar rules, for example, they could have a lower-speed 'pavement mode' to make them suitable for use on the pavement. However, many compared micromobility vehicles with cycles and e-bikes and said that, like them, they should not be permitted on the pavement. Several respondents said that e-scooters are typically smaller than cycles so would use less pavement space. Some suggested limiting the size of vehicles allowed on the pavement, and that larger micromobility vehicles such as electrically assisted cycle trailers would be unsuitable.

Vehicle Requirements

Question 2.6a

What do you think the minimum standards for micromobility vehicles should be?

Summary

There was strong, widespread agreement that there should be a clear set of minimum vehicle standards for micromobility vehicles, though respondents differed on which areas the standards should cover and what these should be set at.

Alignment with international standards

E-scooter operators largely responded along the theme of keeping standards in line with international standards, specifying German regulations particularly. For example, some operators cited Technical standard DIN EN 15194 "Cycles - Electrically power-assisted cycles - EPAC Bicycles" and draft standard EN 17128 "Light motorized vehicles for the transportation of persons and goods and related facilities and not subject to type-approval for on-road use". Many respondents believed that forms of micromobility should have standards in line with those of Electrically-Assisted Pedal Cycles (EAPCs). Additionally, many respondents believed there should be specific restrictions, and these were commonly around the following: speed, power, weight, braking and lighting and reflectors.

Speed

Many respondents cited the need to have a speed limit for vehicles. Of those that specified the limit, the largest proportion favoured a maximum speed of 15.5 mph (25km/h), whereas a significant minority thought this should be 12.5mph (20km/h) to be in line with the speed of e-scooters in Germany and France. Local authorities and representatives of user groups more commonly wanted to see a lower speed limit of 12.5mph.

Mass

Several organisations believed there should be restrictions on the mass of the vehicles, and of those that specified a weight, the suggested maximum mass ranged from 20kg to 55kg. Some organisations raised concerns about the mass being 55kg and the risks this could pose to pedestrians in the event of a collision.

Power

Several organisations raised concerns of a power level of 500W and said that this should be reduced for safety reasons; 250W or 350W were given by a few respondents as alternative limits to power. Some respondents stated that the maximum power output should be limited by reference to the size of the electric motors, to prevent users from 'de-restricting' them to increase power (and speed). Providers were overall content with a power limit of 250W or 350W but did indicate that this would greatly reduce performance in hilly areas.

Braking requirements

Many respondents believed specific braking requirements should be set. Several respondents believed there should be at least two independent braking systems. Others responded that braking standards should be based on the rate of deceleration over a set distance from the maximum speed.

Lighting and reflectors

Many respondents listed lighting and reflectors as necessary, with a large proportion of these suggesting that lights should be 'always-on', even in the daytime. Many respondents mentioned the need for both front and rear reflectors, and cited visibility to other road users as important.

Wheels

Some organisations responded that there should be a minimum wheel size, based on safety over uneven road surfaces. A minimum diameter of 200mm was suggested by a number of respondents. Some respondents highlighted that vehicles with more than two wheels should be permitted, as they represent improved stability in some cases.

Question 2.6b

Should different standards be set for different types of micromobility vehicle? Please provide evidence.

Summary

A majority of respondents who answered believed there should be different standards set for different types of micromobility vehicle. When expanding on how standards should differ, respondents commonly highlighted the fact that handlebars will be

required on some modes and not others. Speed and size standards also should differ depending on the vehicle type.

A minority of respondents believed that standards should be the same, to “keep it simple” to make it easier to enforce. Some thought there should be standards set on use through the Highway Code and that there should be limited regulations on technical standards as this may hamper innovation.

Question 2.7

Are there other vehicle design issues for micromobility that you think we should be considering? Please provide examples.

Summary

Many of these responses to this question reiterated the responses to question 2.6.

Of these, the most common issues raised were noise and warning sounds/bells, ease of foldability, access and availability of docking stations, wireless charging, always-on lights and light indicators, the necessity of helmets, battery safety and having a large battery capacity.

There were many responses which highlighted the need to make vehicles tamper-proof and the ease to which speed limiters can be removed, which should be resolved.

A number of respondents were also concerned that over-regulation would limit innovation, but the vast majority wanted to see requirements around the technical aspects of the vehicles and/or their use.

Question 2.8

In your opinion, what should the requirements be for micromobility users with regard to:

User requirements	Like EAPCs	Like mopeds	Other requirements (please provide details
Vehicle approval			
Vehicle registration and taxation			
Periodic vehicle testing			
User driving licence			
Insurance			
Helmet use			
Minimum age			
Speed Limits			

If you believe regulating micromobility vehicles like EAPCs or like mopeds would be problematic, please explain why.

Summary

Across the range of regulatory requirements included in the Call for Evidence, respondents generally preferred the rules that apply for EAPCs to the rules that apply for mopeds. These are each considered individually below but some general themes that came out across all of these.

A common response was that neither the EAPC nor moped requirements were suitable for micromobility as an 'off the shelf' set of requirements. Many respondents favoured a bespoke set of requirements for micromobility, or even different sets of requirements for different micromobility vehicles. Often these sat somewhere between the two sets of requirements. Though EAPC regulations were generally preferred, on insurance, helmet use and minimum age there were mixed views.

Many respondents suggested a two-tier set of requirements where smaller, slower, less powerful micromobility vehicles had EAPC style requirements and larger, faster vehicles had regulations that were similar to mopeds. Typically, respondents said that a speed of 15-20mph should be the threshold between the two sets of requirements.

Another common theme was that greater regulation of micromobility would reduce the uptake of these vehicles, potentially to the extent that users would not see an advantage over using a car or other motor vehicle. If we wanted to ensure widespread uptake of micromobility vehicles, respondents said, then regulations should not become a burden. Conversely, several respondents said that the regulations for micromobility, should be higher than for cycles and e-bikes, as this would ensure that they remained preferred modes of transport.

Across all the requirements, respondents said it was important that the rules were clearly defined and could be enforced.

Vehicle approval

The majority of respondents thought that micromobility vehicles should be treated like EAPCs – i.e. not having the same vehicle approval process that is required for mopeds

and other motor vehicles. Reasons for this included that extra regulatory requirements would discourage uptake of micromobility vehicles and increase cost, and that regulations should be relaxed to encourage vehicle innovations. Further comments were that approval shouldn't be required for anything that wasn't a moped, or that self-declaration by the manufacturer would be suitable.

Respondents in favour of type approval said that there needed to be an examination of each type of vehicle to avoid the market being flooded with low-quality machines which could put riders at risk. Many in favour said that this should be lighter touch than applies to other motor vehicles, with a suggested that they should be tested in the same way as consumer electronics. One respondent said that approval should ensure that vehicle speed limiters were not modified.

Vehicle registration and taxation

Most respondents indicated micromobility vehicles should not be subjected to registration and taxation similar to other road going vehicles, such as mopeds. The reasons given for this were that registration and taxation would be burdensome, unenforceable and would not reduce user take up of micromobility vehicles. Responses also frequently suggested that e-scooters are comparable in use and safety to cycles and e-bikes which are not registered or taxed. However, many responses believed that there was a need for registration as people may break the law if they believed they couldn't be traced. Registration may also be required to support an insurance system, if that is required.

Some said registration should not necessarily be in line with current processes for mopeds and similar road going vehicles. Some suggested that the vehicles should carry a registration number somewhere on the vehicle that could be checked at the roadside, but that registration plates like those motor vehicles have were not necessary.

Periodic vehicle testing

Respondents were strongly in favour of not requiring periodic testing though few comments were given in response to this question. The common reason given was that micromobility vehicles should be treated like cycles and EAPCs which are also not subject to periodic testing. A few respondents said that further data should be gather on whether vehicle defects are a significant cause of accidents. Some respondents thought the cost of setting up a testing regime would be disproportionate to the risk.

Whether in favour of periodic testing or not, many respondents stated that this should be the responsibility of the user to ensure the vehicle is maintained to be safe to use on the road. A few respondents suggested voluntary testing, possibly carried out by micromobility retailers.

User driving licence

Respondents generally said that licences should not be required, principally because these vehicles are similar to cycles and EAPCs which also do not require licences. Some respondents commented that the speed of these vehicles is lower than motor vehicles such as mopeds, so the driving licence requirements could be lower. However, many suggested a form of user training should be available.

A number of respondents said there should be a licensing requirement. Generally, they said licensing would ensure users knew the rules of the road, knew how to use micromobility vehicles and would be a way to ensure users meet a minimum age requirement.

User training

There were many responses about user training for micromobility vehicles to ensure users knew the rules of the road. Many favoured a voluntary training scheme similar to the 'Bikeability' cycle training. A significant number thought training should be mandatory, either requiring the existing motorcycle CBT training or a new Bikeability-style training scheme. Several respondents said this should apply only to those who don't already hold a driving licence of some category. A few respondents suggested training should be mandatory and extended to cycle and e-bike users.

Licensing system

From those in favour of licensing, a range of suggestions were made. Some suggested the existing licence categories were suitable and holders of any category of licence should be able to use micromobility vehicles. Other suggested there should be a new category of licence with light touch requirements, possibly by completing training, an online theory test, or other assessment of knowledge of the highway code.

Requirements based on speed

As with some of the other regulatory requirements, a number of users said that driving licences should only be required for vehicles travelling above a certain speed. 15 mph was the most common suggestion, with vehicles below this sped being exempt from user licensing.

Enforcement

Several respondents said that driving licensing would allow for better enforcement, allowing police to identify users, apply fines and penalty points or to revoke licences. however, some respondents were sceptical that even the licensing requirements themselves would be enforceable.

Insurance

The largest group of respondents said that micromobility use should be regulated like EAPCs when it comes to insurance i.e. micromobility vehicles should not require insurance, although uptake should be encouraged. This preference holds for both organisations and individuals who responded.

Insurance should not be required

In the comments, a number of respondents suggested that mandating insurance would reduce uptake of micromobility vehicles, or encourage illegal use, which would be difficult to enforce. Many respondents felt that the characteristics of micromobility vehicles are so similar to EAPCs that the rules should be consistent for both, and that the cost would be disproportionate relative to the cost of the vehicles.

Insurance should be required

A number of respondents suggested that insurance should be required, as is the case for mopeds. Many respondents pointed towards to other countries with e-scooter where insurance is required. Many suggested that different types of insurance could

be available, rather than motor insurance which applies to mopeds. This included options such as add-ons's to home insurance, a standalone personal liability product, or some form of taxation. It was also suggested insurance should also be required for EAPCs, or that requirements could be linked to the speed, weight or power of the vehicle.

Helmet use

Responses were mixed on whether helmets should be required, though as with other questions there was a clear preference for treating micromobility vehicles like EAPCs.

Recommended helmet wearing

Respondents commonly said that helmets should be strongly recommended for users but should not be mandatory or should only be required above a certain speed. Many said that mandatory wearing would discourage the use of micromobility vehicles and would make e-scooter rental schemes unviable.

Mandatory helmet wearing

Many respondents said helmet should be mandatory. Some cited evidence that helmets clearly reduced injuries. Some respondents suggested helmets should only be mandatory for under 16-year-olds or when using micromobility vehicles on roads.

Several respondents commented that there shouldn't be a distinction between micromobility vehicles and cycles/e-bikes, and that mandatory helmet wearing should be extended to all. One comment was that e-scooters were less stable than cycles so e-scooters should require helmets, though others said that e-scooters were easier to ride and put your foot down, so helmets were not needed. A few respondents said that the requirements for micromobility vehicles should be higher than for cycles, including mandating helmets.

Cycle helmets are the appropriate standard

If helmets were to be required, there was widespread support for this to be cycle-standardhelmets rather than motorcycle standard. Some respondent said motorcycle-standard helmets should be required for high-speed micromobility vehicles, such as those travelling over 20 mph.

Other protective equipment

Some respondents commented that other protective equipment should be required, such as hi-vis clothing so that other road users could spot micromobility vehicles, or the use of protective pads.

Minimum age

The most common response was that micromobility vehicles were similar to EAPCs and should have the same requirements (minimum age of 14 years old). However, many respondents preferred a minimum age of 16 years old. Their comments suggested that older riders would have more experience on the road and would be less likely to misuse the vehicles. Some respondents said that e-scooters are more likely to attract younger users and that a minimum age of 16 would eliminate their use as a toy rather than as a form of transport.

Several respondents said that 14 years old was too high. Comments suggested that a higher age limit would reduce uptake and that a limit of 12 years old would enable

young people to travel to school on micromobility vehicles. A small number said that since cycles could be ridden on the road at any age, it was illogical to set a minimum age for micromobility vehicles. Other suggestions of minimum age were made from 10 years old up to 21 years old.

Speed limits

Almost double as many respondents said that micromobility vehicles should have the same limits as EAPCs (15.5 mph), than mopeds (28 mph). Some commented that having a different speed limit from e-bikes would create the need for frequent overtaking and that it is safer to set a limit matching other vehicles. 20mph was a common suggestion as it would allow micromobility vehicles to keep up with traffic. Many respondents suggested other speed limits, ranging from 4 mph to 40 mph, with some saying that limiting the speed below that of e-bikes would encourage cycling and active travel. Many respondents said if micromobility vehicles were going to be used on the pavement there should be a much lower speed limit there, similar to walking pace or matching mobility scooters. Some respondents also suggested changing the speed limit depending on various factors such as the age of the rider and whether the rider has insurance.

Flexible bus services

The second section of the Call for Evidence sought views on flexible bus service regulations, as part of the Buses, Taxis and Private Hire Vehicles workstream.

For a detailed description of the current flexible bus service regulations, different categories of service, as well as the background on each of the questions, please see Section 3 of the Call for Evidence document.

Categories of Service

Question 3.1

Should an updated regulatory framework for flexible bus services allow for each category of service to be regulated differently? If so, how do you think it should be regulated differently?

Summary

Responses were split between those in favour of regulating 'many to many', 'one to many' and 'many to one' flexible buses differently and those against.

Responses in favour of regulating each of these categories separately felt this allowed for more tailored regulation that would ensure a better service. However, those against believed it added unnecessary complexity and would limit the flexibility of these services.

Many responses emphasised the need for regulation to be focused on the desired outcomes for the user rather than the service itself.

Tailored regulations for better services

It was noted that any new regulation would need to recognise user needs and the different operational contexts of the services. For example, regulation which has developed to protect existing services in urban areas could become a barrier to implementing sustainable and integrated operation in rural areas.

Another common view was that the definition of locations where buses will wait, the time window for waiting and the area of operation should differ between categories.

Regulate 'many to many' differently

A dominant view was that 'many to many' services should be subject to more stringent regulations (for instance around driver checks, record keeping, notification of

regulators), given the model's proximity to a taxi or PHV service, rather than a bus service.

A supporting example of this was a scenario where passengers are likely to be picked up near their homes, therefore, there could be a higher chance of being alone with a driver and potentially in a smaller vehicle.

A minority view noted that 'many to many' services could overlap with existing bus services and therefore, this category should be regulated more stringently.

Regulating differently adds unnecessary complexity

Several respondents felt regulating each category separately added unnecessary complexity to legislation. One operator of flexible bus services that meet all three categories noted that having to comply with different regulatory regimes would increase costs and called for a common standard for all flexible buses as far as possible.

Regulating differently limits operator flexibility to 'switch' categories

It was felt that operators should be able to provide services under all three categories and switch in response to passengers' needs. There was a consensus that it should be easy to switch services from one format to another to allow for maximum flexibility. Therefore, all regulation should be combined and applicable to all categories of service.

A suggestion to manage this was a single, flexible bus operator licence, under which all three categories could fall.

Three categories not representative or optimal

Several respondents felt that the categories were not representative of all potential flexible bus services. Another recurring theme was that restricting services to the three categories would limit flexibility and prevent innovation.

One operator suggested the consideration of a potential 'one to one' option, to facilitate a timetabled service, with journeys that only operate where customers have booked onto them, which could allow much better coordination with rail where the timetabled journeys could be linked to train arrivals and departures.

A dominant theme was that regulation should be focused on the desired outcomes and meeting community needs. It was felt that regulating by service category would not allow the freedom for these outcomes to be achieved.

Registering a Flexible Bus Service

Question 3.2

How do you think we should define the area of operation for a flexible bus service?

Summary

A dominant view indicated that the area of operation should be a geographical area that is determined by demand. Many respondents also felt the area of operation should be associated with a local transport hub and feed into other transport services.

It was a common view that the characteristics of the area of operation should vary between urban and rural areas. The operational area should be determined locally based on service level, geography, and demographics. Therefore, the regulation should be flexible enough to accommodate for all environments.

No Limit to Operational Area

Several respondents recommended there should be no limit to the operational area as this would allow for maximum flexibility and for the benefits of flexible buses to be realised. It was suggested that operators can then tailor their services to focus on areas where other transport modes do not fulfil demand including where people have to change buses multiple times.

One participant commented that operators should register a base location rather than an operational area. However, some regulation would be needed to prevent competition with scheduled bus services.

A recurring theme in responses was that the size of the operational area will depend on the type of area it is running in. In urban areas, trips will be shorter and more interlinked with other modes of transport so a shorter operational area will suffice. However, in rural areas, the trips will be longer so the area of operation will need to be longer. To accommodate both types of area, the operational area should have no limits and provide maximum flexibility.

Operational Area based on Town Boundaries

A common view was that the operational area should be a geographical area. This was deemed important for enforcement purposes. Suggestions included defining a boundary or fixed start and endpoints and allowing flexibility in between those.

Association with a Local Transport Hub

Several respondents believed the operational area should be associated with a local transport hub so the services can interconnect with other transport lines. This would offer a feeder service and complement existing services.

It was suggested that there should be a surcharge for trips that could be made with existing bus routes (similar to how Oxford Pick Me Up operated) to ensure flexible bus services are not competing with existing services.

A consistent theme was that the operator and local authority should work together to determine an operational area that benefits the local area and contributes positively to the area's transport network.

Operational Area Defined by Demand

Many respondents agreed that demand would vary between urban and rural areas and the operator should have the flexibility to react to this and determine their operational area differently.

It was suggested that data should be collected to understand the demand and the operational area should be determined by this. User needs will vary in different locations and should be reflected in the operational area.

Current Guidelines

Several respondents believed the current guidelines were still appropriate for determining the area of operation. This also allows local authorities to be notified and aware of the coverage of services.

These respondents agreed that it is important to show routes and times of operation to allow for a reliable service. It is feared that too large an operational area could result in longer waiting times and a less reliable service.

Time Windows

Question 3.3

In your opinion, does the 20-minute time window to arrive at each passenger pick-up remain appropriate?

If not, how should the time window be altered?

Summary

There was no dominant view, respondents very marginally considered that the current 20-minute time window remains appropriate.

Generally, user groups and NGOs were in favour of the window, research institutes, consultancies and government stakeholders were evenly split in their opinions. Industry groups responded that the 20-minute window was not appropriate.

The 20-minute window is appropriate

The majority of those in support of the 20-minute time window felt that this was reasonable and struck the right balance for operators and passengers. This is also in alignment with existing DRT services that are already in operation.

Several respondents highlighted the benefits that the time window offers for older passengers and disabled people, as real-time tracking on smartphones could be difficult for them to use: the window provides these groups with some assurance.

The 20-minute window should be reduced

There was a greater diversity of opinion among those against the time window. The dominant view was that 20 minutes would be too long for passengers to wait and this would be particularly unattractive to commuters thus reducing demand for the service. Some organisations agreed that passengers needed confidence and accuracy in arrival time.

Some respondents suggested alternative windows ranging between 5 to 15 minutes, while some industry groups felt that to be competitive with major companies, wait times should not exceed 5 minutes.

The 20-minute window should be increased

A minority view felt that 20 minutes is too short and should be extended to 40 minutes for the benefit of operators due to the unpredictability of passenger behaviour and unreliable traffic data. Some respondents highlighted that rural areas would experience less demand and lower average speeds therefore a wide arrival window could accommodate this.

There should be no window at all

A handful of responses questioned the need for a window at all, as technological developments such as real-time monitoring or tracking features in apps would alleviate the need for a window.

Several industry groups believed the window should be decided by passenger demand and as a flexible service should not be constrained by time windows. Flexible buses should be governed by the same punctuality and reliability rules as other bus services.

Suggestions were provided based on existing DRT models and trials of how demand-based time windows could be calculated by using specific algorithm-based programme configurations.

Question 3.4

Do you think operators of flexible bus services should be required to provide real-time progress updates? Please provide evidence.

Summary

The dominant view from respondents was that operators of flexible bus service should be required to provide real-time progress updates. Many respondents expressed how customers value being able to plan their journeys more accurately and the increased trust in services that provide this information.

However, several respondents raised the potential for issues regarding access to technology and connectivity. It was felt start-ups and rural services would struggle to meet this requirement and therefore, it should be encouraged as a best practice rather than made compulsory.

Value for the user

Respondents who were in favour of flexible bus services being required to provide real-time progress updates often highlighted the benefits for users. Examples included the ability to see how far a vehicle is from them (highlighting the customer experience in spheres such as parcel delivery) and also an improved ability to plan journeys (ensuring passengers are not waiting unnecessarily and can make alternative plans in the event of a delay or cancellation).

A consistent view was that this would allow flexible buses to compete with private hire and ride-hailing services because customers would be less anxious about the reliability of the service. It would also encourage greater use of flexible bus services by ad-hoc users.

Most respondents felt that accurate tracking of buses would be particularly beneficial to older, young and disabled passengers in avoiding long waits at bus stops.

Value for local authorities

Several responses indicated that it could also be useful for local authorities and transport bodies to be able to collect data based on real-time updates to enable enhanced evaluation of local transport systems.

Suggestions to achieve the requirement

A handful of responses noted that modern technology and GPS would make it easy to implement this requirement. Respondents also felt that any method of providing real-time updates should be as accessible as possible, considering different aspects of the user interface of an app that would need to cater to specific needs such as font size, screen contrast and glare.

However, several respondents highlighted that this requirement should not have to be met only using an app. It was felt there should also be alternative ways of providing real-time updates such as through text messages or a phone number to call. This would ensure community transport services and those in rural areas where broadband and mobile technology is poorer would not be penalised.

Several respondents mentioned the opportunity that real-time updates brought for providing customers with alerts. This could notify them when their bus was nearby and if their journey had been adjusted or delayed. Customers could then decide if they needed to amend their journey, to reach their destination on time.

Not a requirement, but ‘optional’ or ‘’best practice’

A handful of respondents believed that real-time updates should not be a requirement for flexible bus services. The reasons for this concerned the cost and technology required to provide live updates and the impact this may have on smaller companies and those in rural areas.

Respondents against believed that providing real-time updates should be optional rather than a requirement to ensure this was not a barrier for some services to continue running. It may not be affordable for smaller, community-led transport providers to set up this technology and those in rural areas may require additional financial assistance to improve the connectivity and implement the technology required to provide this service.

Others highlighted that a requirement was not necessary because this information would likely be provided without regulation, due to the various benefits to the service provider.

Other suggestions and concerns

One suggestion was that operators could participate in regional schemes so passengers can receive joined-up information about multiple services. This would allow for more accurate journey planning where a customer needs to change transport services.

Concerns were raised by several respondents about the need to protect personal data. By providing real-time updates, user's personal addresses and journeys could be exposed to other users.

Another view was that although real-time updates will make it easier for customers to plan their journeys more accurately, there will be uncertainty surrounding the punctuality of other customers and this may cause delays that real-time updates cannot mitigate.

Pre-booking and Ad-hoc Journeys

Question 3.5

In your opinion, how could the carriage of more ad-hoc bus passengers be encouraged without impacting negatively on the service received by passengers who have booked in advance?

Summary

Responses highlighted the tensions between meeting the needs of all types of passenger, the desire to keep booking simple, and the risk of delays to pre-booked passengers.

A dominant view was that ad-hoc journeys should have to be accepted through an app, by checking how disruptive it would be for existing passengers. Several respondents felt that no ad-hoc passengers should be accepted on flexible bus services, while others suggested that these should be accommodated to ensure people retain the flexibility to travel.

Some respondents noted that requiring pre-booking was a useful tool in maintaining social distancing during the COVID-19 pandemic.

Service Matching App

Respondents felt strongly that ad-hoc passengers should only be accepted if they did not significantly disrupt pre-booked passenger's journeys. It was felt the most efficient way to check this would be through an app, in a similar way to how Uber Pool operates.

Also, respondents felt the app would allow for ad-hoc passengers to check the route of the flexible bus and choose to board if their journey aligned with the existing route. This would allow for last-minute or ad-hoc bookings to be taken on more easily. Where bookings cannot meet the exact requirements of the customer, suggestions included offering discounts or credit to those passengers.

Many respondents felt that ad-hoc passengers and last-minute bookings were essential because people require on-demand services. Pre-booking can be

inconvenient and may deter people from using the service and revert to private vehicles. App technology should mean the booking service is equally as convenient for last-minute passengers as those who have pre-booked.

A recurring theme was the need for any app technology to be inclusive. On the one hand because older and disabled people tend to have lower internet and mobile phone usage, on the other, because any app would also need to be accessible.

Frequency of Services

Several respondents expressed that ad-hoc passengers could be catered for by providing a greater frequency of services when the demand is highest. The service provider could use machine learning and data analysis to predict when the demand from ad-hoc passengers peaks and match their services to that.

Live Bus Updates

Several respondents proposed offering real-time location and occupancy updates of the flexible bus service to prospective passengers. This would allow people to determine whether their route could be accommodated for by the flexible bus and whether there was space for them to board.

Alerts could be sent out to make users aware of the travel opportunities available and allow them to decide last minute. The real-time updates would also allow pre-booked passengers to have a better estimation of when their bus will arrive.

Fixed and Flexible Services

A small number of respondents suggested having a mixture of fixed and flexible services on offer. Therefore, the fixed services would have more capacity for ad-hoc passengers and the flexible services would be aimed at people who wanted to pre-book specific routes. People could also choose to pre-book on fixed services if they do not mind having ad-hoc passengers on the service too.

One suggestion included creating ‘bus stops’ in locations where there is a lot of demand from ad-hoc passengers so they have a fixed location they can reach services from. This also attracted people who did not feel comfortable booking in advance or using technology.

No accommodation of ad-hoc passengers

A recurring theme was that flexible buses should not accommodate for ad-hoc passengers at all. It was felt that this could lead to empty buses during off-peak hours and would not be cost-effective.

A common reason in support of this was that ad-hoc passengers would reduce the reliability of the service and disrupt the journeys of pre-booked passengers.

Other Themes

A dominant view from respondents were that pre-booked passengers should be made aware when ad-hoc passengers would be picked up and there should be a clear limit to the amount of time the journey could be extended by to minimise disruption.

Another recurring view was that ad-hoc passengers should not be able to change the route of the journey and must choose pick-up and drop-off locations along the predetermined route.

Many respondents considered that booking services over an app may exclude certain groups of people such as older or disabled passengers. Similarly, passengers based in rural areas may not have the network capabilities to use an app. Therefore, the booking system should cater to all types of passengers.

One participant raised concerns about passengers' privacy and how their home addresses may become known by other passengers.

Overall, a consistent view was that to be flexible, buses must cater for ad-hoc passengers. Pre-booking may be off-putting to those using the service, instead an on-demand option must be available to encourage a shift from private transport.

Fares

Question 3.6

What sort of fare structure do you think should apply to flexible bus services?

Summary

A dominant view indicated the need for fares to be known in advance of travelling on a flexible bus and did not advocate for demand-responsive, 'flex' or 'surge' pricing.

Respondents recognised several factors that could be considered when determining the fare including demand, distance, the inclusion of luggage, booking in advance and availability of alternative transport. Therefore, there was a recurring view of offering bespoke fares for each journey.

Flex/Surge Pricing/Demand Responsive Fares

Respondents felt that flex or surge pricing should be avoided so passengers would be aware of the cost of travelling on a flexible bus before booking. It was felt that flex or surge pricing could exclude certain social groups and make the service unaffordable to them.

Flexible Fares

A large proportion of respondents suggested fare structures that were tailored to each passenger's journey but were known in advance. This offers a mix between fare structures implemented by Uber and conventional bus pricing.

By knowing the fare in advance, it was felt that passengers could make better decisions on when to travel and this could reduce traffic. This would also create a more even distribution of passengers across the day.

Suggestions of factors to consider when calculating fares for journeys included demand, distance, luggage and access to alternative transport.

Some respondents also felt passengers should be offered discounts when the flexible bus cannot fully accommodate someone's timings or locations or if the journey takes longer than anticipated.

Off-Peak and Peak Fares

Several respondents also suggested splitting fare structures into off-peak and peak fares. There were recurring views that passengers would appreciate a simple fare structure.

It was felt that off-peak prices should be comparable to conventional buses and taxi costs and a premium could be applied for peak times.

One key stakeholder noted the potential within the COVID-19 context for prices to incentivise travel across different days and times of day, to help manage demand, capacity constraints and spread the peak. In contrast, others noted the issue of penalising customers when they travelled on a shared journey or at peak times, because of the cost-efficiency benefits, but also ensuring shared journeys when roads would be most congested.

There were also concerns from some respondents about how the timings for peak fares would be monitored if the bus is delayed or journeys take longer than expected due to the flexibility of the services.

Distance-Based Pricing

Additional suggestions from respondents included a fare structure based on the distance of the passenger's journey. This could be implemented by calculating the distance of the journey or applying a zonal fare structure.

It was also suggested this fare option could include a flat rate for the whole day within a defined area for people making multiple journeys.

Fixed Pricing

Fixed pricing was the second most popular fare structure to be suggested by respondents. This included set fare options such as hourly, daily, weekly and season tickets.

It was felt that fare structures should be simple and easy for passengers to understand. These set ticket options would reduce any uncertainty about fares and allow passengers to simply estimate their costs.

The option of a season ticket would also be beneficial for those who use the service frequently and would help smooth revenue fluctuations. It would allow customers to lock in fares.

Integrated Transport Fare system

A consistent theme from respondents was the opportunity for the flexible bus fare structure to be integrated with other modes of transport. This would allow access to the wider transport network and make transitions to other modes much easier for passengers. It was felt this would encourage less used routes to be utilised alongside popular routes and would ease transport inequality.

Subsidies/Concessions

Several respondents raised concerns about how the operation of the English National Concessionary Travel Scheme (ENCTS) would work on flexible buses and how concessions could be applied. Disabled people who have a bus pass may avoid flexible buses unless concessions were applied. Concessions are believed to promote social inclusion and to improve accessibility.

A consistent view emphasised that subsidies should be applied for rural areas and where there are no alternative transport options.

An opposing view proposed that concessions do not need to apply to flexible buses as they do for traditional bus services because flexible buses should be attracting new groups of people.

An exceptional view was that flexible buses would not be cost-efficient and would be empty during off-peak times. Instead, there should be a focus on subsidising existing transport modes such as taxis and buses.

Other Themes

Other issues raised by respondents included that payments should be online rather than in person and people should not be penalised for booking last minute. However, it was also noted that 1.5million people nationally do not have a bank account and therefore cannot book or pay for journeys electronically.

A dominant view was that fares should be competitive and encourage people to shift from other forms of private transport. They should also be affordable to promote social inclusion.

Registering Flexible Bus Services

Question 3.7 a

Do you think there should there be less rigid registration requirements around notice periods for flexible bus services?

Summary

Overall, respondents were marginally in favour of relaxing registration requirements around notice periods for flexible bus services.

Responses varied depending on the type of organisation. Local government and transport interest groups were more likely to oppose relaxing requirements, to protect passengers. Whereas, industry, consultancies and academics were more positive about relaxing requirements, highlighting many issues with the current 70-day timescale.

Several respondents gave mixed responses, noting that it may be beneficial to enable a shorter notice period in certain circumstances.

Issues with rigid requirements

The most popular theme was that the current requirements are not agile, responsive, or adaptive enough to allow flexibility or innovation. Particularly, in terms of responding to changing customer demand, as technology can enable operators to adapt services almost instantaneously and also provide information to customers.

The second most popular response was that the current requirements took too long to complete. Respondents from industry were most likely to give these kinds of responses.

Other responses in favour of less rigid requirements highlighted that the current requirements were either old fashioned/ outdated or too onerous or complex. Also noting that the current time taken impedes ability to meet customer demands/needs and limits the ability of operators to try new options out that may quickly prove to be unviable.

Issues with relaxing requirements

The most common response out of those respondents who were opposed to relaxing requirements referred to the need to protect customers or local authorities from later changes to services. Typically, respondents said that a long notice period would enable customers or local authorities to make alternative arrangements in the event of a cancellation or if the offering were downgraded in any way.

The second most common answer claimed that rigid requirements were required to ensure the quality, reliability, or predictability of the service e.g. for customers seeking to plan their journey or access important local services.

Some respondents also argued that consistency was required throughout the registration process to ensure traditional bus services did not become undermined or outcompeted e.g. operators expanding their businesses and making changes that could impact other services, without sufficient time for transport authorities to meet their requirements and ensure a joined-up and accessible public transport network.

A similar number of respondents also argued that rigidity was required to safeguard customer safety or accessibility, or public confidence in the service.

Question 3.7 b

b) Which elements of the registration requirements do you think could be improved to enable flexible bus services?

Summary

Respondents highlighted that it may be beneficial to enable a shorter notice period in certain circumstances, especially if the change was only a minor adjustment and would not negatively affect passengers.

Several suggestions were given on what elements of the process could be streamlined. In practice, it was highlighted that local authorities could potentially play a role in assessing whether a change could be fast-tracked and in general clarity was needed on what constitutes a minor or significant change to a service.

Introducing more flexibility in the requirements

Some organisations recommended introducing more flexibility in the registration requirements that would enable a shorter notice period in certain circumstances. Examples of this flexibility included the ability to make certain changes such as service upgrades or minor adjustments that do not require a customer to make alternative travel arrangements. e.g. expanding an operating area, serving new locations identified by demand, improving frequency or extending hours.

A handful of respondents reiterated the importance of considering whether the change has a negative impact or whether the change affects a passenger's behaviour, noting that these kinds of nuances could potentially be reflected in the timescales. For example, introducing or amending a service could require a shorter timescale (no negative impact or if no change of behaviour was necessary) whereas withdrawing a service could require a longer notice period, to allow passengers to make alternative arrangements.

Another factor highlighted was that if the flexible bus service served a large area covered by other buses, as such it was argued that service changes would have a reduced effect on passengers.

Overall, there was a consistent view that despite introducing flexibility in certain areas there was still a recognised need to protect customers against service withdrawal.

Determining minor adjustments vs significant changes

One key stakeholder suggested that local authorities could potentially play a role in assessing whether a change would require a 70-day notice period, or if a particular change could be fast tracked, due to the authority's insight into local circumstances.

Another key stakeholder highlighted that clarity was required as to what constitutes a significant or material change to the service, so minor adjustments to the process could be streamlined.

Bus Service Operators Grant

Question 3.8

Do you think the Bus Service Operators Grant (BSOG) should be adjusted to accommodate the development of flexible bus services? If so, how?

Summary

The dominant view from respondents was that the BSOG should be adjusted. However, many respondents recognised additional reasons for adjustments to be made other than to accommodate flexible services.

There was a recurring theme surrounding how the current criteria for the BSOG encourage inefficient fuel use and may not be aligned with the Government's environmental ambitions.

Support for Flexible Buses

A dominant response was that flexible buses should be accommodated and should be able to access the BSOG in a similar way to other registered bus services.

Respondents were in favour of supporting demand responsive transport and services that provide access to hard to reach areas.

Current requirements prevent services with 50% or more seats being pre-booked to access the grant. This should be changed to allow for flexible buses and pre-booking should not impact the grant amount.

One respondent highlighted that flexible buses meet the original and present objectives of BSOG so it should be adjusted to accommodate for flexible buses.

Alternative Criteria for BSOG

A dominant view was the BSOG should be reformed to better fit Government priorities and unlock greater benefits for passengers.

Respondents suggested the new criteria should consider whether the service provides access to rural areas, if other funding is available, gaps in services, number of passengers, size of the area served and access to hospitals and other significant locations.

Another view was that the criteria should be made as flexible as possible to allow for more models of services in the future and to allow for new technologies.

An exceptional view was that there should be separate criteria for flexible buses and regular bus services.

One respondent felt BSOG should be devolved to local authorities so they could better target the funding towards socially necessary services and support communities at risk of being isolated. This regime could easily incorporate flexible bus services in areas where that would be a more appropriate option than a conventionally scheduled service.

One suggestion was replacing the BSOG with a user-based subsidy instead which would be allocated based on the transport available to them and the cost.

One respondent highlighted that the BSOG should only be awarded to flexible buses if they offer concessions and child fares.

Aligning with Environmental Ambitions

A dominant response was that the criteria for BSOG should be overhauled to align better with environmental ambitions. How BSOG is awarded should encourage the most sustainable way of running the service and encouraging the most people to stop using private transport.

Several respondents indicated that there should be a wider review of all support for transport services to meet wider goals of improving air quality and reducing private vehicles.

One respondent suggested incorporating other incentives to counteract any negative impacts of how the BSOG is awarded.

Measure miles operated

Many respondents favoured grants being awarded based on the number of miles operated only, rather than monitoring the volume of fuel consumed. Many flexible buses will use fuel-efficient and or low emission vehicles and should not be penalised for this. It was felt that miles operated is a transparent and simple metric to use especially due to modern GPS technology.

However, contrasting responses highlighted how awarding grants based on mileage may incentivise bus services using longer routes rather than the most efficient routes. This also may negatively impact services in urban areas where the journeys are shorter but more congested.

Several respondents highlighted how vehicle kilometres covered is the criteria used in Scotland.

Services in Rural Areas

A dominant view emphasised that the current criteria for the BSOG were not in favour of rural bus services. Flexible buses would better cater for rural services but also accumulate more ‘dead miles’ which should be considered when allocating the BSOG.

Many respondents felt accommodating flexible bus services through the BSOG would be beneficial for rural transport networks and offer them much needed support.

No adjustments to BSOG

An exceptional view was that flexible buses should not be accommodated if this is at the expense of BSOG to standard bus services.

Another reason for not adjusting the BSOG was that it would require a significant change in the payment mechanism to accommodate flexible buses.

Record keeping

Question 3.9

Do you think the record keeping requirements for flexible bus services are still appropriate? If not, what changes do you think should be made?

Summary

Respondents were split between those that considered that the current record keeping requirements were appropriate and those that advocated for changes. Organisations provided a range of views on how record keeping requirements should continue.

Although many respondents felt the current requirements were necessary and useful, a significant number of responses highlighted the need to change the requirements to meet GDPR guidelines.

Many respondents felt that passenger names did not need to be recorded and if they were, safeguarding would be required to protect the information from potential data breaches.

Benefits of keeping existing record keeping requirements

A recurring theme in responses was that this data would be collected whilst making bookings and through automated systems so it would not be onerous to continue collecting this information.

Many respondents felt record keeping was essential to provide a positive, community service. It ensures passengers are reassured and can experience familiarity with the same driver and the same users on the bus. This is especially important for older and disabled passengers and has been particularly vital during the pandemic.

A consistent theme throughout the responses was the benefit of collecting this data to ensure services are aligned with customer behaviours. This information allows for more informed decisions about services and for local authorities to better oversee the wider network.

Several respondents mentioned the importance of record keeping for dealing with incidents or complaints that are reported. Having customer information makes it easier to contact them during an investigation and for claims to be dealt with more accurately.

GDPR and reducing requirements

However, several respondents considered that data collection must be updated to stay in line with GDPR guidelines and safeguarding of personal information should be increased.

Several respondents suggested reducing the requirements to prevent potential GDPR issues. Passengers would need to opt-in for their personal data to be collected and incomplete data may not be very useful.

Many respondents felt the current record keeping requirements were excessive and only essential information should be required. One suggestion was that only information required to make a booking should be collected.

A recurring theme was that the current record keeping requirements may isolate volunteer-led or smaller services who may not have access to the resources to collect this data. One suggestion was that traffic commissioners can check services by mystery shopping, physical checks and looking at complaints rather than requesting records.

One respondent highlighted that smart technology should allow for buses to be tracked and passenger numbers to be monitored without needing to keep records. They felt that collecting personal data may deter people from using the service over privacy concerns.

A popular alternative recommendation was to collect anonymised data instead, which would still help to understand journey patterns and improve services. It was felt that collecting passenger names would not provide any essential information and it would be hard to track this information when some groups may book together under one name.

Other suggestions and issues with the requirements

Several Combined Authorities agreed that the following records should still be required:

- the date the journey was made
- the time and place it was agreed the passenger should be picked up and set down; and the actual time and place that each passenger was picked up and set down

Additionally, they suggested collecting data on the fare paid including whether an ENCTS pass was used.

However, they felt although passenger names and contact details could provide value, the presence of ad-hoc passengers would lead to incomplete records and would be difficult to manage.

Other themes

One participant highlighted that data should be managed effectively and regularly reviewed to reduce the administrative burden on operators.

There was also a strong theme of ensuring the security of data. Many respondents recognised the sensitivity of collecting personal data and encouraged assurance that it is secured, controlled and processed.

Urban and rural areas

Question 3.10

Do you think we could use flexible bus services to improve transport in rural areas?

Summary

The dominant view from respondents was that flexible bus services could be used to improve transport in rural areas. Many responses recognised that flexible bus services were the type of public transport that would cater best to the unpredictable and dispersed demand in rural areas.

Respondents recognised that financial support is a significant barrier to the success of flexible bus services in rural areas. There were also suggestions of how to make the services more profitable, including connecting to transport hubs and acting as a feeder service into urban bus services.

Support for Flexible Bus Services

Several respondents pointed out a number of successful flexible bus services including TeesFlex, GoCoach and Arriva Click. They also indicated that these services have encouraged a modal shift from single-occupancy cars and taxis to the flexible bus service. Respondents also highlighted successful schemes in Switzerland, Germany and Canada.

One response highlighted how similar services like dial-a-ride have been successful in connecting users from rural areas to main transport services without needing a car.

Many respondents indicated that there would not be enough demand in rural areas for fixed services so flexible ones are the better option to ensure these communities are not isolated or cut off. Flexible bus services are beneficial where demand is too low or dispersed for a regular service.

One respondent highlighted how introducing flexible bus services into rural areas where there is only a single existing bus service provider could provide competition and encourage enhanced services.

Several responses suggested involving potential users in the design of flexible bus services to ensure they would be tailored to their needs and to maximise the chance of success.

Requirements for rural transport

Many respondents described how flexible bus services could meet the needs of rural areas by catering specifically to demand whereas a fixed service may struggle. They said rural areas can have more diverse and dispersed demand so flexible bus services should be used.

Several respondents discussed how important transport is to rural areas including increasing mobility, improving access to jobs, reducing congestion and the environmental benefits.

Many respondents pointed out how people in rural areas rely on their own private transport due to infrequent and unreliable bus services. Flexible bus services would help prevent this and encourage less private ownership of vehicles.

Connect to Transport Hubs

A dominant theme was the need for rural flexible bus services to feed into main transport links. It was felt that rural services should feed into urban services at mobility hubs that would facilitate interchange between these services.

One respondent suggested that this integration between rural and urban transport was vital to ensure different types of service complement each other. This would require local coordination and partnerships between authorities and operators.

Another respondent highlighted the potential use of technology to provide information and planning services for the wider transport network.

Financial Support

A recurring theme was that flexible bus services in rural areas would not be financially viable. It was felt that it would be difficult to make any profit and ongoing subsidies or Government support would be essential.

Many respondents indicated that lack of funding was the main reason for the failure of many flexible bus services.

One respondent highlighted that a flexible bus service will be more financially viable for rural areas than a scheduled bus service.

Another respondent described how the investment in flexible bus services would save costs in other areas including missed doctors' appointments, higher social care costs, unemployment cost and environmental cost.

Several respondents mentioned the impact of regulations on increasing the cost of operating buses. It was suggested that regulations should be different for rural and urban areas because the cost of providing rural services is much higher and requires more public funding.

Criticism of Flexible Buses

One response highlighted how older users of public transport value the predictability of fixed route bus services and would not have smartphones to check for flexible services.

Another respondent highlighted how flexible bus services require pre-booking and more effort from the user and this could be a factor in their limited use.

Several responses mentioned the need to market services effectively to ensure people were aware they were available and understood how to book them.

Another recurring theme was the need to consider technology and connectivity issues within the target market and how this could limit their access to flexible bus services. Support for modern and future technology such as 5G in these areas was encouraged to counteract this.

Several respondents mentioned that the dispersed demand in rural areas may make a car service more suitable than using buses.

Other Suggestions

One response suggested the use of a multi-purpose demand-responsive transport solution. This would combine mail delivery with passenger services in rural areas.

Another suggestion was to consolidate various types of community travel such as Dial-a-Ride, non-emergency NHS patient travel and school services into a single service. This would allow for resources to be pooled and benefits to be achieved through economies of scale. This would increase occupancy and the financial viability of services by combining multiple funding sources.

Safeguarding

Question 3.11

What do you think would be the correct requirement for Disclosure and Barring Service (DBS) checks on flexible bus services?

Summary

Many respondents considered that flexible bus service drivers should be subject to enhanced DBS checks to maximise passenger safety and especially for the safety of groups such as children and disabled people.

While respondents in favour of standard DBS checks felt enhanced checks were an unnecessary burden to operators. Some respondents also called for standardisation across all transport services or deciding checks on a case-by-case basis.

There should be enhanced checks

The dominant response emphasised the importance of protecting the safety of groups such as children, older people and disabled people.

The safety of passengers was paramount; vehicles used for flexible bus services tended to be smaller and carry lower capacities of passengers than traditional services, particularly in more rural and remote areas where there is a greater likelihood of drivers being alone with a single passenger.

The lack of fixed routes means that the driver has a great degree of control over direction. They may also have control over the only means of exiting the vehicle.

Passengers may also be taken directly to their homes which poses an added potential risk. Therefore, many respondents felt that flexible bus services had a greater resemblance to Private Hire than conventional buses and should be subjected to the same level of checks.

An exceptional point was that the wide availability of data allows for great ease in conducting enhanced checks.

There should be standard checks

The dominant view among those advocating basic or standard DBS checks felt that this should be consistent with conventional bus drivers as they offer similar services and are highly likely to serve the same user base.

Respondents felt that flexible service drivers would have less or reduced control over exits for example than taxi/PHV drivers, therefore standard checks would suffice.

Additionally, flexible buses are intended to be accessible, have affordable fares and for shared purposes rather than serving residential addresses.

Several respondents suggested that enhanced checks could place an unnecessary burden and further strain on operators and local authorities – making standard checks more viable.

There should be no differentiation between conventional and flexible bus services:

A handful of respondents felt that there should be no difference in the classification of flexible and conventional bus services; with some calling for standardisation across all transportation services including PHV.

The respondents felt that the same standard of protection should be applied to all vehicles. The safety of passengers should not be based on technicalities such as vehicle size.

Checks should operate on a case by case basis

Several respondents felt that DBS checks should operate on a case-by-case basis; rural and remote areas have a greater likelihood of lone passengers compared to urban areas, this increases the chances of the driver being alone with a single passenger and therefore required enhanced checks.

Some respondents felt the level of checks should be dependent on the size of the vehicle as the driver may have closer access to passengers on smaller buses and enhanced checks might be more appropriate there but less so on larger vehicles.

An exceptional view felt the level of checks should depend upon how flexible buses wish to serve communities. Only if the services made closer links and integrated with healthcare services, where the passengers are likely to be older or disabled people, enhanced checks would be needed.

Other Themes

An exceptional view felt that more information would be required to decide if standard or enhanced checks would be necessary.

Some respondents also felt that additional safety measures should be included such as CCTV for passenger and driver safety in the event of disputes.

A handful of respondents also suggested that enhanced DBS checks should be required for data handlers as individuals, given their access to personal passenger information, home addresses, journey data etc.

One respondent also felt that restrictions imposed by the need and cost of enhanced checks could reduce the flexibility of these services and limit innovation.

Next steps and further work

Question 3.12

What areas of the bus, taxi and private hire vehicle (PHV) framework should we consider in future stages of the Future of Transport Regulatory Review?

Summary

The clear message from a range of stakeholders was that the regulatory framework for taxis, PHVs and buses is outdated and that differences between how modes are regulated hampers innovation and creates inconsistent outcomes for passengers.

There were particular concerns regarding inconsistent approaches to accessibility.

Some stakeholders noted a history of reviews in this area, but a lack of progress on reform.

Need for regulatory reform

There was a dominant view from stakeholders that the regulatory framework for taxis, PHV and buses is outdated. A siloed approach was no longer seen as appropriate, with a wide call for a consensus of standards across different types of passenger transport.

Stakeholders were critical of historic regulatory distinctions based on the size of the vehicle rather than the purpose of service. The need for more flexibility was a key theme, both in the licensing framework and in the way that vehicles are used.

Some stakeholders noted a history of previous reviews, where recommendations had not been implemented. Many respondents supported the implementation of the 2019 recommendations from the Task and Finish Group on PHV and taxi licensing.

Regarding those recommendations, there were mixed views on cross-boundary issues, but some agreement that a patchwork of licensing authorities was unhelpful. Additionally, there was some support from operators for a national system with harmonised standards.

Some suggested changes

One operator highlighted that the regulatory framework was established for a model where a driver worked with one operator, which is often no longer the case. This leads to duplication of compliance activities which has increased barriers to entry. Suggestion to adopt an approach which centralises data and reduces this burden. The example of insurance records in the state of New York was given.

There were some calls for a separate category of DRT licensing, to address inconsistencies. For example, where the size of the vehicle determines whether a service operates under PSV or PHV regulations, this has an impact on safeguarding and accessibility requirements.

Several respondents suggested pooling various types of more specialised transport e.g. Community Transport, NHS non-emergency transport, dial-a-ride type services and school services, to make more effective use of vehicles and other assets. Pooled funding for these services were also mentioned.

There were also calls for more integration between the taxi, PHV and public transport sectors, with a suggestion that the Office for Rail and Road should oversee all passenger transport.

Accessibility

Accessibility was a key issue for many respondents. There were concerns expressed that the cost-effectiveness of app-based hiring and booking models made the technology dominant, to the detriment of those without access to apps or who were less confident using online tools.

Question 3.12

How else, in your view, can the Government support innovation in the bus, taxi and PHV sectors?

Summary

The main theme, as noted above, was for regulatory reform and modernisation of licensing to support innovation.

Alongside this, respondents were also concerned for better connectivity, more support for electric vehicles and more funding for innovation and maintenance.

Data was highlighted as key, with support for mandatory data sharing.

Support for buses

Some operators called for more recognition of the role of buses in providing inter-urban 'missing links'.

One operator suggested that funding support to the bus industry should mandate change, not maintain existing arrangements.

The generic reduction of regulatory barriers was mentioned, in particular, to increase provision in rural areas.

Innovation and decarbonisation

A number of stakeholders expressed support for better connectivity and more investment in zero-carbon infrastructure.

One industry representative body suggested that the Government should continue to enhance financial incentives to switch to electric vehicles and maintain its commitment to improving access to rapid charging infrastructure.

Alongside this, more could be done to encourage local authorities to invest in rapid charging infrastructure.

Funding for innovation and maintenance

Funding for innovation was highlighted by some stakeholders, with a suggestion that funding should be available on a project by project basis, rather than through time-bound competitions. Funding to trial back-office solutions, as well as new vehicle types, was also mentioned.

In addition, some local authorities called for more funding for highway and asset maintenance.

Data

Mandatory data sharing was considered to be crucial by many. Examples given included: time and date of the journey; origin and destination of the journey; fare paid; the number of passengers; type of service being provided; type of vehicle being used; and time spent between passenger fares.

More specifically, some taxi and PHV stakeholders suggested the need for a national database of drivers, vehicles and operators. One operator also suggested a national real-time database for licensing authorities and operators to track driver licence revocations and refusals. This could help stop unsafe drivers from re-licensing in another area.

One local authority noted that, where PHVs were being used to provide bus-like services, they should participate in bus open data.

Another authority also highlighted a need for innovation in cybersecurity and data safeguarding.

A professional body cited a need for better quality statistics on taxi and PHV use. They noted that ridership data from the National Travel Survey showed a broadly stable trip rate per head, despite large growth in numbers of licensed vehicles and drivers, raising questions about efficient use of assets.

Mobility as a Service

The third section of the Call for Evidence asked questions on Mobility as a Service (MaaS). For a detailed definition of MaaS, real world examples, as well as background on the themes explored in this section, please see the Call for Evidence document.

Roles

Question 4.1

In your opinion, in the development of Mobility as a Service platforms, what should be the role of local authorities, central government, or other transport authorities?

Summary

It was primarily felt that central government should play a leadership and regulatory role in the development of MaaS platforms and that local authorities should predominantly trial MaaS platforms in their local area and supply support to industry. The suggested role of other transport authorities in the development of MaaS platform varied depending on the type entity being discussed within the responses.

Role of central government

The dominant views were that central government should be responsible for setting an overarching regulatory framework for MaaS, provide funding for the research and development of MaaS and infrastructure underpinning the transport system, set the strategic goals and policy for MaaS and provide guidance to local authorities (LAs) in the deployment of MaaS platforms on issues such as procurement. Several local councils were in favour of the government developing a national framework.

Across all organisations, there were clear themes that government regulation should focus on safety, personal data use, interoperable data standards and open Application Programme Interfaces (APIs), consumer protection, accessibility enforcement and review competition rules regarding collaboration between transport operators.

On central government setting standards for interoperability, it was highlighted that this could facilitate MaaS across geographical boundaries by providing consistency for data sharing, therefore removing operational barriers for MaaS Platform Providers.

Another reoccurring theme was that central government should also be responsible for the monitoring and evaluation of MaaS platforms, sharing lessons learnt and disseminating best practices which were also largely supported by local government respondents.

Furthermore, amongst industry, including MaaS Platform Providers, there was a key theme that ticketing, and fare structures would benefit from being simplified by central government to incentivise MaaS with the benefits passed onto the users.

Role of local authorities (LAs)

In general, respondents felt that LAs should be responsible for trialling and facilitating MaaS, providing information to MaaS Platform Providers in their area, set (or enforce the national) strategic objectives of MaaS, support MaaS users and consider the local needs, encourage transport data sharing and encourage modal shift.

A strong view amongst respondents is that a fundamental role of LAs is to ensure there is a sufficient supply of transport services that can be aggregated by a MaaS Platform Provider and that the LA should ensure these are attractive to users by being safe, clean and maintained to encourage the use of public transport leading to modal shift.

Both industry and user groups felt that local authorities should promote the use of MaaS Platforms in the area. Some respondents and organisations felt that stronger rules on transport operators were necessary and that data sharing or providing services to a MaaS Platform Provider should be part of a tendering or license agreement.

Views on the level of collaboration that LAs should have with the private sector varied with some respondents being in favour of LAs owning the MaaS platform for reasons including control over data, more influence on traveller behavioural change, commercial viability concerns and being driven by societal and public goals.

Others suggested MaaS should be private sector led as it may be more efficient and could offer users a better experience with the possibility of liability risks and stretched capability or capacity in the public sector. Some exceptional responses by LAs commented that MaaS should be deployed centrally to ensure consistency and there are currently limited resources available to LAs to deploy MaaS.

Role of other transport authorities

The role of other transport authorities in the consultation responses varied depending on the interpretation and given powers of the organisations that sit within this category which may include but not be limited to Highways England, Combined Authorities and STBs.

Specifically, some respondents felt that Sub-National Transport Bodies (STBs) should be responsible for sharing best practice across their area, building a repository of knowledge on MaaS, act in an enabling capacity to support MaaS development and encourage MaaS solutions across geographical borders.

More broadly suggestions for the roles of other transport authorities included support with data sharing, support local authorities to meet strategic goals and advocate for alignment between transport bodies in LAs on issues such as transport routing and timetabling to support cross-border MaaS.

A further theme throughout the responses was that the various layers of government and industry should collaborate in the design, deployment and implementation of MaaS schemes.

Data

Question 4.2 a

Can you provide evidence for further measures that are required for the standardisation and interoperability of data, for example, the routing, ticketing and timetabling data, to deliver Mobility as a Service?

Summary

The key themes raised in relation to further measures that would be required for the standardisation and interoperability of data were a need for clear data standards, standardised ticketing and a wish to see more transport providers opening Application Programme Interfaces (APIs).

Unified multimodal data standards

The most prominent theme individuals raised is a need for unified multimodal data standards to be established to maximise the benefits of MaaS. Key stakeholders, including data organisations, highlighted that having data standards would help to prevent poor data quality, open up data, keep service operators on top of data collection, improve cross-modal relations, produce more efficient API's and prevent exclusive control by private operators.

Several respondents agreed that it should be created with a strong emphasis on the protection of personal data in line GDPR guidelines. Contrastingly, a small number of organisations commented that standardisation could do more harm than good if the requirements are too stringent, as this may stifle productivity and innovation thus balance is needed.

Standardised and integrated timetabling and ticketing data

Respondents were also in favour of standardised and integrated timetabling and ticketing data, to help promote equal quality levels for all the mobility providers as well as simplicity for customers.

A small number of respondents recommended building on and extending existing data standards such as IXC (timetabling data) and NeTEX(fares), however, a few argued that these should be generally applicable across multiple planning and ticketing models, rather than creating standards which are developed specifically for MaaS.

Additionally, some respondents commented that standards should be made in line with the EU to allow for international data synergies for a more innovative MaaS.

Alongside creating data standards, there was also a notion amongst a few of respondents that legislative measures need to be taken for the standardisation and interoperability of data, in order to deliver MaaS.

Open Application Programme Interfaces (APIs):

A positive example noted was The Finnish Transport Code. The code requires public and private mobility providers to have an open API so that “all can be integrated into one seamless travel chain that can be paid by one mobile system and all transport modes can be integrated into one holistic system”.

In corroboration, some stakeholders agreed that APIs play an important role in helping to bring necessary standardisation, and a lack of API capability services could hinder innovation and interoperability within MaaS.

Question 4.2

b) Who should lead these further measures (e.g. central government, local government, industry, or other)? Please explain why.

Summary

The dominant view was that central government should lead on measures required for the standardisation and interoperability of data. Several respondents also felt that there was merit to both local government and industry leading on these measures.

Those respondents who felt that others should lead list Non-Governmental Organisations (NGOs) but also suggested industry.

Central government could lead

A reoccurring concern amongst respondents was that central government would need to lead on the measures mentioned above. The main reasoning given was central government have the reach and power to mandate standardisation across cities and local authorities, to achieve a consistent approach nationwide and prevent industry transport data monopolies. By providing the overarching regulatory framework, central government would encourage all groups to work together to implement solutions.

Local government could lead

In contrast, some stakeholders believed local government to be more suited to lead on such measures, as they understand the needs of the community and are best placed specify the level of service needed in each area to meet local needs. However, a small number argued that local government do not have the capability to help push such standards, therefore would need the support of Central government.

Industry could lead

In comparison, a selection of stakeholders felt the industry were in the best position to lead as they felt that the industry are the experts in the field, and as such, know the hurdles that need to be overcome.

Collaboration

There was also an overlap in the answers observed where many agreed that both Local government and Central government should work in collaboration to deliver these measures; as mentioned above, the combined expertise of both could help

deliver data standards/codes of practice which can help improve standardisation and interoperability of data.

A very few stakeholders also commented that by working in conjunction with the private sector, this could provide the ideas needed with much of the funding coming from central government.

Question 4.3

In your opinion, is the roll out of the integrated style of ticketing required to facilitate Mobility as a Service prevented by any regulatory or commercial barriers? If so, please provide details

Summary

There was general agreement amongst respondents that integrated ticketing is a key building block for the facilitation of Mobility as a Service (MaaS) and that integrated ticketing is already possible today. However, different respondents were also clear about the regulatory and commercial issues that impact the scale of the integrated ticket offers available (both in terms of the number and geographic reach of transport operators and transport modes covered) and the overall attractiveness of the ticketing offers in meeting customer needs.

Competition regulations

Current regulations and guidance, centred around the Competition Act, even when augmented by the Ticketing Block Exemption overseen by the Competition & Markets Authority, are viewed as being too restrictive and unlikely to be flexible enough to cater for the emerging requirements of MaaS type solutions. There was general agreement that whilst regulations allow multi-operator ticketing, the regulations and the resulting commercial agreements between operators result in these tickets being more expensive compared to single operator options, thereby being less attractive to customers.

However, regarding competition, several respondents raised concerns that a move to MaaS may cause inequality in the market where either a leading MaaS provider or group of providers favours a partnership with a specific transport provider(s) based on commercial considerations rather than seeking to offer the best solution or widest range of choice for the customers. They thought it is likely that unregulated competition will lead to many MaaS solutions either having a limited selection of providers or having a bias to one or more providers. On these occasions, the customer is unlikely to be provided with the optimum combination of travel solutions based on their needs, and in turn, there would be less use of sustainable modes (or something below the maximum use if the best possible MaaS solution was in place).

Competing objectives

Several local and devolved authorities raised concerns that in pursuit of profit, commercial MaaS platforms may be incentivised to work against local, city, regional objectives – for example; platforms may have less incentive to promote the use of active or sustainable modes over other options which are generally easier to monetise.

Indeed, competing objectives were highlighted as a key barrier to cooperation and the provision of integrated service offerings and ticketing.

One train operating company was clear that the case has yet to be made about the potential benefits of integrated ticketing and MaaS to commercial transport operators. There remains an issue of maintaining control of ticketing revenue for commercial operators who are anxious to maintain their existing business to customer arrangements, and competition between operators inhibits the willingness of operators to cooperate on integrated ticketing schemes.

Rail

Rail was specifically highlighted by more than one respondent as having significant integration barriers from a ticketing and fares perspective. The issues stem from complex fares structures, compliance requirements and an accordingly onerous accreditation process, which increases cost and hampers integration with other modes and the user experience. Combined, these issues effectively prevent the inclusion of rail travel in integrated ticketing schemes and MaaS solutions.

Data standards and ticketing technologies

The lack of common ticketing technologies, lack of full and transparent data availability and not using common data standards across all public transport operators and modes were seen as a significant barrier. Integrated ticketing and MaaS requires that all operators would be able to read and accept the same media (and ideally retail it as well).

Customers need the confidence and ability to move seamlessly between different transport modes, using either the same payment method or the same travel ticket. However, there was also some caution expressed by some respondents about the affordability of appropriate technology and data provision questions for all operators.

Competition Impacts

Question 4.4

What competition concerns do you think Mobility as a Service might present that could be difficult to address through existing regulations?

Summary

There was a range of competition issues presented that may not be addressed through existing regulation with the dominant themes concerning private sector monopolies, data sharing, integration of transport operators onto a MaaS platform and due to the collaborative nature of MaaS to agree commercial agreements, the risk of organisations violating existing competition laws.

Private sector monopolies

Private sector monopolies were identified in responses as largely forming from one of two ways; horizontal integration or through an incumbent firm developing a large market share. One frequent theme throughout the responses was regarding additional data sharing. On one hand, respondents felt it would be difficult for small transport providers unless they had the funding and capability building allow larger operators to benefit disproportionately by capitalising on existing resources and building a competitive advantage. On the other hand, it was believed that by opening public transport data and APIs, it would create a level playing field.

Comments were provided on Maas Platform Providers using open data but not sharing their own in return. There were consistent views that regulations need to be enforced to prevent a single firm 'capturing' the market. If this were the case, respondents felt that a monopoly could lead to price fixing, pursuing profit over public goals, price out competitors, and lead to fewer choices for consumers to name a few consequences.

Impartial retailing

The need to protect consumers over algorithmic bias in routing options as a result of commercial agreements or impartial retailing was also discussed as this could effectively lead to a form of MaaS that would not be user-centric. Many respondents believed MaaS governance should play a role in promoting agnostic journey options that would be fair on routing and pricing.

Barriers to entry

A concern of an industry monopoly was further exacerbated by views over the impact this could have on barriers to entry for new transport operators if MaaS Platform Providers do not integrate their services.

On the integration of transport operators, some respondents believe that it should be mandatory for them to share their data and integrate with a MaaS platform but there is a degree of resistance by some traditional transport operators and they are unwilling to be integrated.

The reasoning given in responses for suggesting enforced integration of transport operators with MaaS Platform Providers was that if services are not integrated it would reduce users' choice and also it prevents 'cherry-picking' of transport providers and modes by MaaS Platform Providers for integration on their platforms. However, those who opposed this suggested that if regulation were to mandate the integration of transport operators with MaaS platforms, this would cause commercial and administrative burdens and would result in few transport operators due to the cost of this, especially felt by smaller operators.

Violation of competition laws

On commercial agreements, leading legal firms highlighted the difficulty surrounding collaboration and joint ventures in the MaaS ecosystem that are is made difficult by current legislation. Examples, where MaaS Platform Providers may encounter barriers with legislation included content in the Competition Act 1998, Transport Act 1985 and Transport Act 2000. Whilst acknowledging the balance between stifling innovation and consumer protection, several respondents highlighted they were useful to prevent anti-competitive actions.

Other themes

One recurring theme raised was regarding which organisation owns the customer relationship and the case for local government or transport authorities to manage MaaS platforms.

Despite not being directly related to competition, many respondents addressed transport providers creating 'walled gardens' by excluding non-MaaS users from their services or penalising non-users with the underlying message being equity of service provision for travellers whether they choose to use a MaaS platform or not.

Concerning accessibility, users' data portability was also linked to competition challenges by several respondents who were concerned by potential user 'lock-in' creating an unfair competitive advantage. Respondents felt there should be user flexibility between MaaS Platform Providers so users can easily switch between schemes.

Consumer Protection

Question 4.5

In your opinion, does the current framework for consumer protection need to be expanded to include liability for multi-modal journeys? If yes, please provide evidence.

Summary

There was a general agreement that the framework for consumer protection needs reviewing. Responses to this question tended varied in content with several focusing on the minimum level of service the user should receive rather than any specific framework issues.

Key themes debated on whether transport operators or MaaS operators should be liable for an incomplete or disrupted journey, how to ensure consistency across the customer protection framework and discussion on the National Rail Conditions of Travel.

Some respondents felt that they were unsure or did not think the current framework needed to be expanded and reasoning varied from enforcement of liability to sufficient legislation already in place.

The current framework for multimodal journeys is sufficient

Several respondents felt expanding the framework for multi-modal journeys added increased complexity which may put off travellers from using the service and had concerns over enforcement with no overarching body or regulator.

A dominant view was that the Consumer Rights Act 2015 adequately covers multi-modal examples were consequential losses have occurred as a result of cancellation

or delays and the MaaS should adhere to this legislation as it facilitates the booking of these journeys.

An exceptional view was that liability should be handled by the regulations specific to each mode.

Liability for multi-modal journeys needs reviewing

The prominent view to the expansion of the consumer protection framework for multi-modal journeys was that consumer protection should be a priority with clear regulations on how multiple claims should be handled for more than one operator. Respondents felt the system should be less complicated, unlike the current uncertainty.

A recurring theme was the benefits that could be achieved through a multi-modal consumer protection framework such as reducing barriers for transport operators to integrate with MaaS platforms, a perceived viable alternative to the car by users and the reassurance of the same protection as received for a single modal journey.

Suggestions for features of a multi-modal consumer protection framework included an automated transparent system, a single point of contact and one view was that liability for multi-modal journeys should similar regulations to the travel agent industry.

There was reference made to the National Rail Conditions of Travel as having a well develop liability framework for rail but nothing similar currently in place for other modes. Within remarks made about the Conditions, there was disparity over the effectiveness of protecting consumer rights when more than one train operating company was involved in each journey.

Other Themes

Amongst responses, there were some considerations given to which entity holds the ultimate liability for multi-modal journeys with transport operators, MaaS Platform Providers and local government all nominated. There was also clear consensus amongst an organisation or between responses.

Arguments in favour of the MaaS Platform Provider holding responsibility were that the users hold a contract with them. Arguments in favour of transport operators suggested they retain responsibility for the service as they are providing within their contract. For local government, a suggestion was made that they provide a single point of contact for users.

One MaaS Platform Provider commented they were unsure if their framework needed expanding, in the meantime, they have chosen to sell separate tickets for each leg of the journey.

Amongst the few unsure respondents, a consistent theme was that more evidence was needed, potentially from working with local authorities and the Future Transport Zones.

Accessibility and Inclusivity

Question 4.6

Could Mobility as a Service present any particular accessibility and/or inclusivity concerns which might be difficult to address through existing regulations? If yes, please provide evidence.

Summary

The dominant view was that MaaS presents accessibility concerns that are difficult to address through existing regulations. However, a handful of respondents felt that the current regulation already offered adequate protections under the Equality Act 2010 to accessibility concerns; for example, highlighting accessible routes.

There was consensus amongst all organisation types regarding the key concerns that MaaS may present. This included the poor enforcement of current regulations and concerns over assistance given to disabled passengers.

Enforcement of accessibility regulations on modes

A consistent view across all organisation types was that current regulations to improve accessibility to transport services were not being adequately enforced to facilitate the use of multi-modal transport for users with mobility issues. For example, not all train and tube stations are step-free, and lifts are not always in operation. This makes it very difficult to provide accessible routes through MaaS services.

Several respondents also felt that the enforcement of regulations on modes must be spread universally across public and private transportation providers, particularly regarding PHVs. Respondents also felt that further regulations would be required, one respondent suggested only including accessible and compliant PHVs on MaaS platforms.

Many respondents were concerned about passenger assistance and transfers between services. The removal of guards from train stations was also suggested to be a risk to mobility assistance.

Design of MaaS platforms

Respondents felt that current regulations should ensure that MaaS platforms are designed with accessibility in mind and data sharing with transport services would allow MaaS providers to give up to date, accurate and accessible alternative routes.

Inclusivity summary:

The dominant view was that Mobility as a Service (MaaS) also presented concerns surrounding inclusivity. Many remarked there is a lack of existing regulations to ensure the inclusion of all socioeconomic and geographical demographics. However, some respondents from insurance and industry groups felt that the current regulations were adequate in ensuring inclusivity

Older people, those who are technologically illiterate or do not own a smartphone and the unbanked were frequently listed in responses as those who would struggle in accessing a MaaS app. Respondents called for regulations to consider these groups and to ensure MaaS services are available everywhere and for everyone.

Digital Barrier

The predominant theme among all organisations was the overreliance on digital, posing a barrier to those without smartphones and those uncomfortable using apps.

Many expressed concerns that MaaS has the potential to only include the young and "tech-savvy" who were considered more adaptable to digital platforms such as MaaS; however, this risks excluding children and older service users.

Affordability and Payment

A consistent concern was that MaaS would be unavailable to the unbanked as many payments for MaaS and app services require bank accounts and cards.

A handful of respondents highlighted that while most people do have bank accounts some have apprehensions using contactless payment and risk being excluded from MaaS services.

Several respondents felt that current regulations MaaS risked excluding low-income households and individuals, particularly in monthly payment models. Low earners may struggle to pay large sums for MaaS subscriptions and could risk paying more buying daily tickets.

Geographical Exclusion

Many respondents raised concerns that MaaS services would favour urban areas that already benefit from strong existing transport links, while rural areas could experience a lesser service or fail to access MaaS services completely.

Some respondents felt that rural areas currently lack adequate transportation links and respondents felt MaaS could aid in forming alternative routes. However, it was noted that rural areas may be less attractive and profitable to MaaS providers which could result in large inequalities in the level of services provided for rural areas.

Another key theme highlighted the struggle faced by rural areas with poor mobile network connectivity and coverage, this could exclude rural areas from receiving adequate MaaS services.

Digital Accessibility

Question 4.7

a. What actions could help to ensure all sectors of the population can access Mobility as a Service applications?

b. Who do you think should be responsible for delivering these actions (e.g. central government, local government, industry, or other)? Please explain why. What do you think government could do to encourage, incentivise or enforce the delivery of these actions?

Summary

Respondents suggested numerous themes to ensure all sectors of the population could access MaaS applications including alternative platforms to using a smartphone application, specific considerations for rural areas, solutions to help the unbanked and how public sector procurement of MaaS platforms may help achieve this goal.

There was a mix of responses regarding who should lead on these measures with the role of local government and central government dominating answers.

Regarding the role of central government, setting delivery standards for MaaS platforms and providing financial incentives for services in less profitable areas were the most prominent solutions suggested.

Inclusivity measures for MaaS

Themes across organisation categories were less clear-cut in response to this question but some of these suggestions raised by local government and transport authorities to improve inclusivity for MaaS included alternative booking methods to a mobile application, offering mobility credits to low income and job seekers, improving digital connectivity in areas where coverage is poor and implementing demand responsive transport (DRT) in rural areas. The suggestions made by industry to improve accessibility for MaaS included design considerations for a MaaS application on a smartphone and providing alternatives to booking such as kiosks.

The most dominant theme within responses was that MaaS Platform Providers should provide an alternative format to mobile applications to help the unbanked or those without a smartphone such as a call centre, pre-paid card or physical ticket, kiosks at transport hubs or subscription cards. Additional solutions for the unbanked were working with credit unions and offering pre-paid tokens. There was a central message within responses that people should not be penalised when travelling if they are unable to use the MaaS platform.

Additionally, there were concerns over the accessibility of the design of the MaaS platform with respondents calling for an easy to use interface and for the transport infrastructure and modes to be accessible to disabled users.

For rural areas, there was a suggestion that the government should increase internet covering to allow smartphone application access, less profitable areas should be cross-subsidised with those that are more profitable and where it makes little

commercial sense to upgrade the public transport offering in less densely populated areas, some respondents felt that DRT was the solution.

Where local authorities choose to procure MaaS platforms, as part of the tendering exercise, some respondents felt that MaaS Platform Providers should be required to demonstrate their commitment to an inclusive solution.

Other suggestions to ensure all sectors of the population can access MaaS included offering a MaaS platform in multiple languages, monitoring the affordability of fares or providing mobility credits, communications campaigns to make users aware of the MaaS offering, integrating concessionary fares and linking transport with social services such as hospitals and libraries.

Delivering inclusivity

Those respondents who felt that central government should deliver these measures to ensure all sectors of the population can access MaaS applications generally felt that a consistent approach was needed, and that central government should play a leadership role in coordinating the delivery of these measures. Specific measures listed by respondents that central government could lead on included setting standards for accessibility of the MaaS platforms (Web Content Accessibility Guidelines- WCAG 2.1 was suggested for the MaaS platforms), encourage key features and capabilities of a MaaS platform and fund research and development to explore inclusive options for MaaS platforms.

Those respondents who felt that local government should deliver these measures to ensure all sectors of the population can access MaaS applications generally felt that local government are best placed to deal with local issues and understand their user needs. Respondents stressed that not one solution fits all and therefore inclusivity should be considered at a local level. Specific measures listed by respondents that local government could lead on included enforcing existing relevant legislations and if procuring a MaaS platform, mandating they meet certain targets on inclusivity.

Those respondents who felt that industry should deliver these measures to ensure all sectors of the population can access MaaS applications generally felt that industry should be responsible for designing and implementing user-friendly solutions, could design their service in collaboration with local user groups and provide good information regarding accessibility features.

Transport authorities were frequently suggested as another entity that should be responsible for delivering inclusivity measures by providing leadership to industry.

Role of central government

There were two dominant themes within the responses. The first was that the government could encourage and incentivise the delivery of these actions through the setting of design criteria and standards. The second dominant theme was to provide ways for the government to provide grants and incentives for services to be made available where they may not be profitable to ensure all sectors of the population have access to services.

Another dominant theme was that government should set regulation to ensure that all sectors of the population can access MaaS platforms, and to ensure that these

regulations were enforced. However, some respondents also noted that that relevant regulation already exists.

Some respondents noted that users should be included in the design of services, and that further trialling would be useful to identify how services can be made accessible to all.

Several respondents noted that the government has a role to play in providing the underlying infrastructure to support the development of services in all areas, such as mobile connectivity.

A number of respondents also raised the importance of promoting MaaS to increase awareness among the public.

Data Privacy

Question 4.8

In your opinion, what further action is necessary, if any, to ensure that Mobility as a Service platforms provide

Safe and appropriate use of data?

Protection of an individual's information?

Summary

Overall, there was a division between respondents over whether current data protection legislation such as General Data Protection Regulation (GDPR) and the Data Protection Act 2018 sufficiently covered the safe and appropriate use of data and protection of an individual's information when using MaaS.

Safe and appropriate use of data

Whilst there appeared to be a trend amongst industry who felt that the GDPR was largely sufficient for the safe and appropriate use of data, several respondents from local government and transport authorities suggested central government should act as a data broker for MaaS platforms. Many respondents made suggestions that are already covered by data protection legislation on issues such as data sharing.

Several respondents argued that users should have the power to manage their own data using the MaaS platform. Moreover, cybersecurity was an additional focus throughout the document with suggestions that sensitive data should be encrypted or tokenised and anonymised.

A few industry respondents highlighted standards they were using to comply with data protection with ISO 27001 on managing information security and ISO 27017 on the protection of information in cloud services, commonly listed certifications by the International Organisation for Standardisation (ISO).

Protection of an individual's information

As per the first part of this question, one theme from the responses was that GDPR is sufficient to protect an individual's information. However, again there was no consensus on whether additional regulations were needed.

Respondents from local government or transport authorities suggested further measures to protect an individual's information such as ensuring the data controller has enhanced DBS (Disclosure and Barring Service) checks and creating a nationally brokered system.

Industry respondents suggested additional measures to protect an individual's information including allowing the end-users to be in control of their own data.

Modal shift

Question 4.9 a.

Can you provide any further evidence of the positive or negative impacts of MaaS on active travel and/or sustainable modes? Please provide examples

Summary

In relation to the positive impacts of MaaS on active and/or sustainable travel, a reoccurring response was that MaaS could lead to modal shift through behavioural nudges away from the use of private vehicles.

The dominating theme for the negative impacts of MaaS on active and sustainable transport were concerns of taxi usage increasing, especially in the scenario of subscription package. This could lead to increased congestion and emissions.

For both evidence of the positive and negative impacts of MaaS on active travel and sustainable modes, many respondents argued that MaaS was too early in deployment and there is currently not enough uptake from users to make clear conclusions.

In general, responses across organisations tended to be mixed and there were no common trends.

Positive impacts of MaaS on active travel and/or sustainable modes

The primary theme raised was that MaaS could lead to modal shifts by incentivising the use of active travel and/or sustainable modes by better connecting the transport system offer to users. However, this was frequently caveated by respondents highlighting the effectiveness of this may depend on issues such as the underlying public transport offer, end-user price and MaaS business model i.e. subscription or Pay-as-you-go. Meeting carbon goals was commonly seen as the end goal of modal shift.

Functions on MaaS apps that provide clear journey information, better route planning, personalised messaging to users and rewards for travel choice were deemed by respondents to provide a behavioural nudge to MaaS users through providing a seamless journey. Nonetheless, few examples were given of where these suggested attributes had successfully worked in practice in encouraging modal shift.

A consistent view highlighted was the importance of shared mobility, particularly access to car clubs or ride sharing, to overcome problems people can face if they do not own a private vehicle. It was felt by some that if car clubs and ride sharing were part of a MaaS package, it will remove the need to own a private car and subsequently could increase the use of public transport and active travel.

Examples provided of a modal shift towards active travel and/or sustainable transport were based on recent MaaS trials including Greater Manchester's Proof of Concept, the UbiGo trial in Gothenberg and Whim in Helsinki. However, there was concern that some other studies used data on the stated preference of trips, not actual mode used providing less reliable results.

Negative impacts of MaaS on active travel and/or sustainable modes

Availability of taxis within a MaaS platform was the dominant concern impacting on active travel and/or sustainable mode use. It was felt that users of MaaS subscriptions might want to get the 'best value for money' leading to an additional demand for taxis and a fall in usage on public transport, particularly for short journeys. The exception view was that this was dependent on the business model, for example, if all users of a subscription-based model with unlimited taxi usage MaaS chose this as their primary mode of transport, it would not be commercially viable for the MaaS Platform Provider. Conversely, one respondent explained that for the pay-as-you-go MaaS model, private MaaS Platform Providers may market sales geared towards taxi usage or other less sustainable modes as there is a high profit than selling a public transport ticket.

If there is a reduction in the use of public transport, some respondents referred to the impact this would have on the profitability of the public transport system and the adverse impact on services already operating with low margins.

Another consistent view was that much of active travel, specifically walking and personal bike usage cannot be monetised, so MaaS Platform Providers are less likely to promote this option or to include it within journey options on a MaaS app. Examples were provided where this has previously been the case.

General negative impacts of MaaS, outside the impact on active travel and sustainable modes, were listed including inaccessible vehicles, cost to the user, risk of excluding people, unreliable real-time data and personal data privacy issues.

A reoccurring suggestion was that one business model idea might be to fix the price of a journey via MaaS over a certain range.

Question 4.9 b.

Can you provide evidence of measures that could be incorporated into MaaS platforms to encourage active travel and/or sustainable modes?

Summary

Respondents suggested a variety of measures that could be taken to encourage active travel and/or sustainable modes ranging from demand management measures to curb use of the private car, provide personalised information on the MaaS apps, focus on cyclists' needs, pricing considerations, incentives or gamification, mobility credits,

tightened PHV regulation and improvements needed to the underlying public transport system.

Incentives and Gamification

Industry, local/regional government and academia respondents often referred to gamification and incentives to encourage sustainable journeys. A reoccurring view was that users may wish to earn credits to offset against further sustainable travel by using this option.

It was suggested MaaS could be used to reward sustainable choices with examples of travel apps including EMT (Madrid), Ubigo in Sweden and BetterPoints Ltd (UK).

Examples of gamification to encourage sustainable travel included leader boards (such as Strava) or linking to other initiatives such as the fitness initiative in Oklahoma, driving the city to lose in excess of one million pounds (lbs).

End User Price

One persistent view amongst respondents was that price will be a big factor in determining which travel modes are used. For instance, off-peak pricing was a reoccurring suggestion for encouraging active and/or sustainable travel along with advanced ticket purchasing and bulk ticket discount.

Providing users with the real cost of their journey in comparison to the cost of private car was another common suggestion thought to motivate modal shift.

Personalisation

A MaaS app that allows for personalisation was a prominent theme throughout responses to encourage modal shift. For example, local weather, congestion, roadworks, air quality, crowdedness data and the ability to state specific travel preferences were all listed as having potential influences on modal shift.

Stating carbon emissions and calories burned on journeys were the two most distinguished features in the responses that may lead to modal shift. Both suggestions were signalled by various stakeholders in industry and local government or transport authorities.

Active Travel

Active travel was an overarching theme raised by respondents who felt the inclusion of high-quality pedestrian and cycle routes on a MaaS platform was essential to planning active travel journeys and these should not be omitted.

One topic of focus was that active travel, particularly bike hire schemes should be better integrated with the public transport system to encourage the uptake of active travel journeys. Examples given were locating docking stations in convenient locations and integrating where possible, public transport and bike hire payment systems.

Underlying Public Transport System

The quality of service on the public transport system was seen as a primary theme within responses. Many felt that the concept of MaaS was not enough to entice users to public transport, rather an attractive alternative offer to the private car is needed. Suggestions to improve the public transport offering included on-board WIFI, bus lanes and phone charging points.

One MaaS Platform Provider highlighted that to deliver effective an MaaS solution, it requires full support from public and private transport operators and ticketing integration with back-end systems.

Other Themes

The inclusion of mobility credits to encourage the use of sustainable transport was one measure frequently suggested by respondents.

PHV regulation was a substantive theme as quotes and excessive supply were deemed to cause problems in cities with increased congestion, lower air quality and a negative modal shift taken from public transport.

Next Steps

Question 4.10

Do you think guidance or a Code of Practice for the Mobility as a Service industry would be useful? If so, what content do you believe would be beneficial to include in a Code of Practice?

Summary

Although in the consultation we did not specify the scope or proposed audience for a MaaS Code of Practice, the dominant view was that a MaaS Code of Practice would be useful. Whilst we cannot draw statistically significant conclusions from this consultation, 92% of respondents who answered this question were in favour of a code. There were no outright objections from the thirteen MaaS Platform Providers who responded to this question yet expressed concern over it a voluntary Code of Practice being non-binding.

Reoccurring themes for those in favour of a MaaS Code of Practice included that it could provide clarity by highlighting the roles and responsibilities of various actors in the MaaS ecosystem, provide guidance on central government objectives, create minimum standards to ensure a fair playing field, highlight areas of best practice for MaaS solutions, allow for consistency amongst local solutions and provide a uniformity of standards outlining minimum expectations from the MaaS Platform Providers.

Enforcement of a Code of Practice

Some respondents caveated the extent to how useful a Code of Practice could be and felt it should be enforceable to hold industry to account, be able to rapidly adjust to the emerging market and that stakeholders should be involved with its design. Responses

from Local Government and Transport Authorities particularly were supportive of a statutory Code of Practice.

Respondents who were against a Code of Practice held differing reasons, for example, they felt there are limited examples of this soft regulation working well for accessibility and inclusivity concerns, that the MaaS market needs enforceable legislation and that current consumer protections laws were sufficient.

Overview of suggested content

The suggested content for a MaaS Code of Practice was broad but the prominent themes from both individuals and organisations included outlining public policy objectives and setting targets, setting standards for consumer protection, highlighting minimum service expectations from the MaaS Platform Provider, guidance on market integration for MaaS Platform Providers and new transport operators, accessibility and inclusivity considerations, digital and data capability, and pull together existing legislation and regulations that must be met by actors within the MaaS ecosystem. Both local, regional government and transport authorities and industry generally responded on the themes of consumer protection and data and digital capability.

Suggested consumer protection and rights content

On consumer protection and rights which was the primary theme from respondents, comments for the suggested content centred around appropriate personal data usage, a need for a clear complaints procedure, clarification on liability when a journey is disrupted, minimum safety requirements, pricing and communication channels with the end user on matters such as journey disruption.

Some respondents felt that the end price for the user should be regulated with one respondent suggesting MaaS Platform Providers should commit to providing a best value proposition.

For data and digital capability, which was another reoccurring theme, respondents advocated for standards to ensure interoperability on data sharing including data on payments, API development, data management and data storage.

Other themes

With inclusivity and accessibility concerns, respondents listed that MaaS apps should not discriminate and specific consideration should be given to customer service and the technical design of the MaaS solution.

In relation to guidance on market integration for MaaS Platform Providers and transport operators, there were suggestions that central government should mandate that certain modes were incorporated within a MaaS solution, the market should be flexible to accommodate new transport providers and there should be some degree in impartiality with regards to the travel options displayed to users.

An exceptional view was that the Code of Practice should lead to licensing or accreditation of MaaS Platform Providers.

Wider Issues

The wider issues section of the Call for Evidence asked questions related to broad themes that cut across some or all of the workstreams and modal themes in the Regulatory Review. For detailed descriptions of the themes, which include; a) ensuring inclusive future transport; b) enabling trials of new modes; c) local leadership of new transport services and; d) further areas of focus for the Regulatory Review, please see Section 5 of the Call for Evidence document.

Question 5a.1

Can you provide evidence of how regulatory frameworks outside of the UK have explicitly sought to improve access to transport for people with protected characteristics?

a) Ensuring inclusive future transport

Summary

In the Call for Evidence we said that we want to build on the ambition of the Government's Inclusive Transport Strategy for disabled people to have the same access to transport as everyone else, with ease, confidence, and without extra cost. We also said that innovation in transport has potential to improve access for older people and those with disabilities. We asked for views on how regulatory frameworks outside the UK have approached these aims.

Respondents provided a wide range of examples from regulatory frameworks around the world that seek to improve access to transport for people with protected characteristics. While the majority of examples focused on legislation to improve access to transport for disabled people, others addressed the needs of those according to other characteristics, such as gender and socio-economic status.

International legislation on the rights of disabled people

A number of respondents noted European Union standards on accessible transport infrastructure and passenger rights.

The Americans with Disabilities Act (ADA) 1990 was also referenced by a number of respondents. Both public and private organisations must meet the accessibility requirements in the act, which respondents stated has helped to encourage innovation in transport that is designed to an accessible standard.

Other responses provided specific examples. For example, in Brussels, Belgium, the regulation of e-scooters has been designed to support people with visual impairments. E-scooters must not be parked on ridged markings on pavements or against buildings, as visually impaired people use these spaces as guides. Similarly, one respondent promoted the use of spoken and visual information at bus and tram stops and on the vehicles themselves throughout Scandinavia, to support the needs of visually impaired people in particular.

Equitable transport

A number of respondents listed countries and cities where subsidies for public transport have been introduced to help increase access to transport. These included Luxembourg, France and Brazil.

Elsewhere, respondents highlighted transport authorities that have required a minimum provision of services in low-income areas. For example, in Seattle, USA, a minimum coverage of bike-sharing services is required in 'equity focus areas'. Similar initiatives have been used in Madrid, Spain to ensure the spatial distribution of e-scooters.

Behaviour change for inclusion

Outside of the regulatory framework, one response referenced a project by the Land Transport Authority in Singapore to encourage a more inclusive and caring commuting culture. The main focus of this project has been a communications campaign to raise awareness among commuters of each others' needs and concerns, to create a more inclusive and welcoming environment for all. This is particularly designed with the ageing population in mind.

Question 5a.2

In your opinion, how can regulation of future transport technologies and services secure equitable access to transport for people with protected characteristics? Please provide examples.

Summary

A large number of responses to this question focused on the role of existing regulation, such as the Equality Act 2010, in requiring organisations to consider the needs of different people according to their characteristics. Many highlighted the importance of rich and ongoing engagement with a variety of stakeholders to achieve this. Responses also included some specific examples of how regulatory intervention could help to ensure equitable access to transport, for example for automated vehicles and MaaS.

Paying 'due regard' to different needs

A recurring theme in the responses was the role of regulation in enforcing public sector organisations to pay 'due regard' to the needs of people with different characteristics. Respondents also highlighted the importance of section 29 of the Equality Act 2010, which prohibits service providers and persons exercising public functions from doing anything that could constitute discrimination, harassment or victimisation.

Some organisations, particularly those from the insurance industry and shared transport sector, raised the significance of this provision in the Equality Act 2010 for procurement and commissioning of goods and services. It was suggested that regulation should ensure that the social value of transport services and technologies is considered by default in these processes, to promote the quality of journeys and any wider community benefits.

Since the Call for Evidence closed, Government has published Procurement Policy Note 06/20[1]. This launches a new model to deliver social value through Government's commercial activities. Central Government organisations should use this model to take account of the additional social benefits that can be achieved in the delivery of its contracts, using policy outcomes aligned with this Government's priorities. PPN06/20 highlights delivery objectives including in relation to tackling economic inequality and to equal opportunities, for example for disabled people.

Some responses called for regulatory changes to facilitate a transport-sector-wide commitment to equality.

Effective consultation

For any such regulation to be effective, respondents felt high quality consultation with people from different user groups was key. Ensuring meaningful and ongoing involvement and consultation with different groups in the design and testing of future transport regulations, and the technologies and services they are intended to shape, could help to bring previously unseen or little understood perspectives and experiences to the fore. Proposals for this included digital engagement platforms and inclusive online workshops, campaigns and surveys, for example.

Alongside consultation, some responses called for more research at the local and national level to understand the main pain points and opportunities of future transport for different groups. Sharing learning across different sectors, for example learning from how retailers have implemented "quiet hours" in supermarkets for autistic shoppers, was also encouraged.

Enforcing quotas of provision and staff training

A number of responses referenced the role of regulation in requiring a certain percentage of taxis and public service vehicles to cater for physical disabilities. Some respondents felt this model could be extended to more types of vehicle and service. Having accurate data on the types of users trying to access the service, including the numbers of disabled passengers, would be necessary to anticipate and meet demand.

A further suggestion related to the role of government in supporting a consistent approach to staff training, to achieve equitable outcomes and inclusive transport across the sector.

Data and accessible mobility platforms

[1] https://www.gov.uk/government/publications/procurement-policy-note-0620-taking-account-of-social-value-in-the-award-of-central-government-contracts

The role of regulation in increasing the accessibility of journey planning tools and mobility platforms was raised by a few respondents. This is discussed in more detail under questions 4.6 and 4.7a in the Mobility as a Service section.

On data, responses highlighted the importance of accurate, dynamic and real-time data to support journey planning for people with different needs. This applies for transport service updates, such as bus arrival times, but also other customer information, such as whether accessible facilities at motorway service stations are out of order.

Automation and machine learning

Automated vehicles and HARPS (highly automated road passenger services) were raised by some respondents as important examples of future transport where there is a role for regulation in ensuring their accessibility. For example, where appropriate, regulation could ensure the provision of notifications for passengers that are auditory for visually impaired people or visual for users with hearing impairments.

The risks of bias in programming and in the development of automated vehicle software and hardware was also raised by some respondents. Particularly where such technologies may incorporate facial recognition, it was suggested that manufacturers and operators must be prevented from discriminating against ethnic minorities, people with physical disabilities and the elderly, for example.

Shaping behaviours

Beyond regulation, awareness campaigns and proactive communications to shape the behaviours of other travellers were proposed as ways to increase the inclusivity of transport services. Respondents recognised that negative experiences of anti-social behaviour, harassment or people generally being unhelpful can cause users, particularly those who are more vulnerable, to lose trust in services and avoid similar modes or routes in future. Campaigns such as the ‘Please offer me a seat’ badge could be extended outside of London, for example.

b) Enabling trials of new modes

Question 5b.1

In your opinion, which specific areas of road traffic law might benefit from having a statutory exemption power included to help support safe trials of transport technologies? Why have you suggested these areas?

Summary

Relatively few respondents addressed this question directly by identifying specific areas of road traffic law, noting that the introduction of statutory exemptions will vary greatly depending on the type of innovative service being trialled. Instead, respondents identified general barriers to trialling and made suggestions about potential improvements that could simplify the process of testing new transport technologies.

A consistent theme was that the UK largely has a permissive and safe environment for trialling transport technologies. However, respondents noted a lack of flexibility in

current legislation to efficiently exempt novel vehicle types to allow them to be lawfully trialled.

Barriers to trialling

Several respondents noted the difficulty in determining what regulation is applicable to different vehicle types, across the Road Traffic Act, Highways Act, the Road Vehicles (Registration and Licensing) Regulations, Construction and Use Regulations and others. Respondents highlighted the importance of trial guidance, to sign post legislation containing the permitted exemptions.

A handful of respondents stressed that the Traffic Regulation Order (TRO) process should be reformed to allow for quicker implementation of trials.

Others suggested that the Highway Code, Traffic Signs Regulations and General Directions (TSRGD) and Traffic Signs Manuals may also need to be updated to better incorporate innovations such as new vehicle types or special authorisations that apply to particular vehicles.

Respondents also mentioned other barriers to trialling such as the lack of clarity of the roles, responsibilities and minimum expectations of different actors involved in the trialling process and a need for additional powers and investment to manage deployment.

Question 5b.2

In managing the risks of allowing exemptions to transport legislation for trials, what do you believe should be the role of:

- Local authorities?
- Combined authorities or the Greater London Authority?
- National government?
- Trialling organisations?
- Other?

Summary

Respondents noted that the role of each stakeholder in managing the risks would vary depending on the type of technology being trialled. However, respondents outlined the strengths of different types of authorities, as well as some general (non-exclusive) characteristics that could help guide future engagements and the expectations of different authorities involved.

General roles

There was strong support for exemptions to be provided at the national level and for national governments to set the parameters for trials and grant ultimate approval. Several respondents characterised national government's role as to set the challenge (objectives, risks, desired outcomes) as well as the rules of engagement.

Respondents also recommended that national government should provide guidance and assistance including a consistent approval framework, statutory guidance and protocols, minimum technical standards, draft forms of agreement for sharing monitoring data and funding.

Many respondents noted that local authorities should set and manage the trial sites, inputting local conditions and operational decisions and be the primary approver of trials. Other responsibilities that were highlighted were highway enforcement, public awareness and community engagement and ensuring that trials are conducted safely and legally. A handful respondents stressed that local authorities should retain the right to insight on enhanced standards for trials, above the national minimum.

Several respondents highlighted that combined authorities could take on the role of providing strategic direction, developing the case to national government, sharing resources and expertise, encouraging collaboration and cooperation, as well as coordinating regional trials. A handful of respondents considered that powers could be devolved to the combined authority level to better assist management of deployment.

Respondents noted that trialling organisations should cooperate and engage early with local authorities and should be responsible for holding the risk, ensuring safety, transparency, sharing data.

Other stakeholder types mentioned were the trial participants and the general public more widely, who should not be required to accept or be exposed to risk posed by trials.

c) Local leadership of new transport services

Question 5c.1

With regard to managing new transport technologies and services, are there powers currently held by national government which you think should be devolved to local authorities, combined authorities or the Greater London Authority? If so, please provide evidence and examples.

Summary

Local government respondents were significantly in favour of further devolution, including to ensure that the benefits of innovation were widely available. Some suggested that devolution should work within a national framework of standards. Long-term funding certainty would be essential if further powers were to be devolved.

Other respondents, notably transport operators, were cautious of further devolution, noting a risk of inconsistency and concerns about local authority capability.

Range of views on devolution

There was broad support among local authorities, combined authorities and sub-national transport bodies for devolution to the lowest appropriate level, with some saying that consideration of empowering local bodies should be embedded from the early stages of policy development. There was also significant support for devolution to work within a national framework of standards, in particular for safety, accessibility and environmental outcomes.

Further powers were also seen as necessary by some respondents to ensure that the benefits of innovation are widely available and not only focused on urban areas. Some suggested the question should address new powers needed to manage innovative transport services, rather than devolution of existing powers.

However, some respondents were cautious of further devolution, noting a potential risk that an overly controlling approach by the public sector could inhibit innovation.

Transport operators, in particular, were cautious of the risk of inconsistencies developing between areas and also highlighted concerns about local authority resources and capability, particularly among smaller authorities.

Several respondents also noted that better cooperation between LAs might help resolve issues.

Funding for powers

Many respondents highlighted that any further devolution of powers required long-term funding certainty for local government.

Regulatory reform

Respondents also focused on the need for the legal and regulatory framework for transport to keep pace with the rate of change.

Support was expressed for flexible registration processes for micromobility vehicles, differential speed limits, training for users and, potentially, designated lanes for micromobility vehicles.

Alongside this were specific suggestions on providing more powers to regulate free-floating mobility and introducing regulatory provisions for automated delivery services.

Accessibility

Accessibility organisations also emphasised that regulation should ensure that pavements remain accessible and that consideration should be given to the impacts on disabled people of street space design and technology innovations.

A community organisation noted that community experience of needs and priorities should inform transport solutions.

Question 5c.2

Where the local transport authority and the local highway authority are separate local authorities (such as in London and the Combined Authority areas), what should be the balance of powers and responsibilities to maximise the benefits of future transport?

Summary

Relatively few respondents addressed this question directly. Instead, respondents expressed strong support for collaboration between transport and highway authorities. Some said that the allocation of powers should reflect how transport networks function in an area.

Where respondents expressed a view, they were more likely to say that transport authorities should have the lead role.

Again, transport operators warned against inconsistency with some also expressing support for unitary models.

Support for collaboration

Respondents strongly supported collaboration between transport and highway authorities, for example on strategy development and infrastructure delivery.

Some also noted that powers and responsibilities should be set at the level that best reflects how transport networks function in a given area.

Others expressed the view that regions should manage transport holistically with public transport and private operators subject to common data sharing requirements.

Transport authority lead role

Some respondents were explicit that LTAs should be accountable for transport policy locally and should manage modes and access. There was also support for LTAs being able to overrule other authorities if necessary.

Consistency and unitary models

More generally, consistency was raised as an issue. Some respondents, especially transport operators, warned against an approach that might lead to a patchwork of rules across areas, which could raise barriers to innovation.

While there was some support for highway authorities to have powers to shape developments locally, some respondents felt that LHAs should be prevented from pursuing policies that were inconsistent with neighbouring areas and should be subordinate to transport authority decision making.

Operators in particular saw significant benefits to bringing highway and transport powers together in the same body and some other respondents also favoured unitary models.

Question 5c.3

In this context, what role might sub-national transport bodies most usefully play, in your opinion?

Summary

STB respondents viewed their role as strategic enablers, building partnerships and supporting integrated solutions. This view was mostly supported by local authorities, though Mayoral Combined Authorities (MCAs) tended to see themselves as better placed to coordinate across an area.

Transport operators saw a clear coordinating and monitoring role for STBs. Also, relating back to operator views of local authority capability, STBs were seen as more likely to be able to recruit and retain the right skills, given their size.

STB views

STBs saw their role as working strategically to address significant challenges, for example decarbonisation and connecting communities.

STBs viewed themselves as key enablers, building cross-boundary solutions, bringing partnerships together and supporting integration.

Local authority views

This view was mostly supported by local authorities, who saw STBs as useful to drive regional collaboration and consistency. Some stressed the importance of alignment between STBs.

Mayoral Combined Authorities tended to view themselves as better placed to coordinate across cohesive areas and one suggested that the role of STBs in relation to new transport technology was less clear, as new technology was more likely to impact at local level and be bounded within a local area.

Some other stakeholders also took the view that MCAs were likely to have a better overview of new technology and more expertise to deal with major projects.

Other respondents' views

Transport operators saw a role for STBs in coordinating standards, monitoring and making recommendations. However, one operator noted that the relative lack of democratic accountability of STBs could make it harder for STBs to lead significant change.

The larger size of STBs was seen as useful in recruitment and retention of professional and technical staff, given that some operators had expressed concern about local authority resources and capability.

Respondents more widely supported the view that STBs had a strong role in supporting collaboration and in monitoring and oversight, and articulating regional ambition to support the national agenda.

There was also mention of STBs having a role to deliver the Future of Transport principles, as well as building the evidence base for Future of Transport solutions.

Question 5c.4

In your opinion, could any non-regulatory measures help to empower local authorities, combined authorities or the Greater London Authority to manage transport innovation? Please provide examples.

Summary

Respondents suggested a range of non-regulatory measures, including the use of procurement to specify desired outcomes.

There was strong emphasis among respondents on the need to share best practice, including the potential for Government to provide more guidance and direction on specific topics.

A stronger focus on knowledge transfer between LAs was also highlighted, especially in relation to trials.

Many respondents emphasised the need for long-term funding certainty for local government.

Suggested non-regulatory measures

Local authorities and STBs suggested non-regulatory measures, including use of procurement of new services to specify outcomes such as data sharing and ticket integration.

Open access to data, including data held by Government and agencies, was seen as significant to planning and management of transport services.

There was also support for more use of communications, guidance and sharing best practice to help local authorities to manage transport innovation.

One respondent highlighted potential for Government strategic direction to help LAs build a portfolio of future transport investments. This respondent also suggested a need for improved business case appraisal guidance, for example to help with assessments to monetise carbon.

Knowledge transfer between LAs

Respondents also focused on the need for knowledge transfer between LAs to share and disseminate outputs from trials, perhaps through a dedicated platform. A more agile approach through use of trials and pilots was suggested by several respondents.

One accessibility organisation proposed mandating service user representation on decision making bodies.

Local government funding

Many respondents, in local government and elsewhere, emphasised that long-term funding certainty was needed to enable LAs to innovate. Some suggested this might include devolved funding to drive local innovation.

Alongside this, there was some criticism of competition-based funding and short-term approaches.

d) Further areas of focus

Question 5d.1

Are there any specific, urgent areas of the regulatory framework that you feel we are not addressing through the eight workstreams already announced for the Future of Transport Regulatory Review? Please provide evidence.

Summary

The dominant view was that the eight workstreams in the Future of Transport Regulatory Review were sufficiently broad to accommodate the most pressing regulatory issues and comprehensively cover most of the transport sector.

Many respondents welcomed the principles-based, outcomes-focused approach of the Regulatory Review and encouraged further engagement throughout the process, with a particular focus on sustainability, accessibility and inclusivity. Notably, respondents highlighted Principle 2 (the benefits of innovation in mobility must be available to all parts of the UK and all segments of society) and Principle 5 (new mobility services must lead the transition to zero emissions) as key areas for further engagement.

Other areas of the regulatory framework

Several respondents noted that rail had not been included as a separate workstream. It was suggested that the Future of Transport Regulatory Review should ensure links to the Williams Rail Review and should more explicitly highlight rail's place in the Review within the integration of different transport modes (i.e through the MaaS workstream).

A handful of responses mentioned L-Category "Powered Light Vehicles" such as mopeds and motorbikes as a further area that could be explored, noting the sector's potential to support a greener, less-congested transport system, in line the Government's Future of Transport Principles.

A handful of responses suggested the future freight technologies such as low speed autonomous devices as a potential regulatory area to be explored.

Next Steps

We have heard from stakeholders about the importance of maintaining our ambition to shape the regulatory framework for transport to be fit for the future. There are some actions that we can take forward relatively early, for example development of a code of practice for MaaS. Other changes will take more time to achieve. In the Call for Evidence we said that ultimately the Regulatory Review may conclude that substantive legislative reform is required. We will continue to engage with stakeholders as our plans develop and as we identify areas where changes to primary legislation may be necessary.

Micromobility

The range of benefits and risks provided by respondents show there is a need to develop the evidence on what impacts micromobility vehicles would actually have on the road, and how effective different regulatory requirements may be in realising the benefits and mitigating the risks.

We have already consulted on and introduced regulations that enable trials of rental e-scooters. These have begun in several towns and cities and we are running a monitoring and evaluation programme to gather the evidence available. This evidence will be used to shape proposals for possible legalisation of micromobility vehicles, if it proves safe and appropriate to do so.

We have read the report from the Transport Select Committee on e-scooters and are considering its recommendations. The trials we are running will help us address the issues the Committee has raised.

During the trials, which will last for up to twelve months, we will continue to engage with stakeholders on regulatory proposals that cover the four areas of the micromobility review: vehicle requirements, user requirements, use on the road, and service provider requirements.

Flexible Bus Services

Our current focus is on ensuring that the bus sector is stabilised following the impact of the Covid-19 pandemic. We are also committed to producing a National Bus Strategy for England.

It is clear from the responses that, while answering in the first instance about flexible bus services, many believe several areas within the wider bus, taxi and PHV sectors need reform. For instance, many respondents suggested that the Bus Service Operators Grant (BSOG) should apply to flexible bus services, but then highlighted how BSOG needs more wholesale reform in order to align with the Government's priorities. Responses related to how flexible bus services might be able to improve

transport in rural areas follow a similar pattern. The forthcoming National Bus Strategy will look at these various issues at a sector wide level.

We are also currently assessing bids for the Rural Mobility Fund a scheme designed to understand better what (Dynamic) Demand Responsive Transport can offer to rural and suburban areas. Separately operators have been experimenting with Demand Responsive Transport type services in reaction to the Covid-19 pandemic; for social distancing, track and trace purposes, etc. We plan to engage with these operators to understand what the impact of these services and their associated innovations has been. We will then collate and distil the findings from the Rural Mobility Fund schemes, those services deployed in response to Covid-19 and the responses provided to this Call for Evidence to further develop flexible bus services policy.

Mobility as a Service

With the large numbers of respondents suggesting that a MaaS Code of Practice would be beneficial, we will look to take this forward. We will continue to work with stakeholders as we begin scoping and designing this Code of Practice.

Responses also highlighted the importance of data in enabling and maximising the benefits of MaaS, specifically the standardisation and interoperability of transport data. We will continue our ongoing work programme to improve the quality, accessibility and discoverability of transport data as outlined in the upcoming Transport Data Strategy.

Wider issues

Ensuring inclusive future transport

As recommended in a number of responses, we will investigate ways to improve awareness of the provisions of the Equality Act 2010, not only within the Department for Transport but also across our procured and commissioned services and those offered by the private sector. This will include supporting existing work by the Department's Equalities Policy team.

To inform this and our continued work to ensure inclusive future transport, we have also commissioned research to identify the key areas of risk and opportunity for people with protected characteristics across the main areas of focus in the Future of Transport Regulatory Review (including automated vehicles, zero emission vehicles, drones and future flight, micromobility, etc). The rapid evidence review report from this project has been published alongside this document.

Enabling trials of new modes

Following a clear steer from respondents for national government to set the direction for trialling new mobility solutions and to make the process of trialling clearer, we will scope out how best to take this forward. The responses have highlighted key areas where Government can better assist local authorities and operators to trial new vehicles and services. We will use these initial findings, test them with teams leading on key trialling initiatives (such as e-scooter trials, automated vehicle trialling and the Future Transport Zones), incorporate lessons learned and work iteratively to explore

whether any technology-neutral approaches, high-level frameworks or guidance can be developed.

Local leadership of new transport services

The Government committed in the Queen's Speech to a White Paper on enhanced devolution across England. We are exploring any scope for alignment between findings in this Call for Evidence and potential changes that might flow from the Devolution and Local Recovery White Paper.

Further areas of focus for the Regulator Review

We will continue to engage with stakeholders around the scope of the Review.

Furthermore, the Department will work with industry, academia and other stakeholders to understand how innovation in the Category L sector, both in terms of new vehicle types and business models can benefit the UK, and any regulatory change that may be required.

The Centre for Connected and Autonomous Vehicles is also currently working with industry and academia to scope the potential benefits of new zero emission automated logistics technologies and business models to the UK.

Acronym Glossary

API - Application Programme Interfaces (APIs)
AV – Autonomous Vehicles
BODS - Bus Open Data Service (BODS)
BSOG - Bus Service Operators Grant (BSOG)
CBT - Compulsory Behavioural Training
DBS – Disclosure and Barring Service
DRT – Demand Responsive Transport
EAPC - Electrically Assisted Pedal Cycles (EAPCs)
ENCTS - English National Concessionary Travel Scheme
FTZs - Future Transport Zones
GDPR - General Data Protection Regulation
ISO - International Organisation for Standardisation
LA – Local Authorities
LATs - Local Area Transport
LHAs - Local Housing Allowance
MCAs – Mayoral Combined Authorities
MaaS – Mobility as a Service
NGO - Non-Governmental Organisations (NGOs)
PHV – Private Hire Vehicles
STB - Sub-National Transport Bodies (STBs)
TRO -Traffic Regulation Order
TSRGD - Traffic Signs Regulations and General Directions