

Matthew Price General Manager, Uber Eats

[By email]

From the Parliamentary Under Secretary of State Simon Lightwood MP

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Dear Matthew,

I am writing to ask for your help in tackling some key issues relating to the safety of delivery riders who use electric motorcycles, electric mopeds, ecycles, and e-scooters, and the safety of other road users.

I am aware that my predecessor wrote to you a year or so ago on this matter. Issues continue to be raised with me by my parliamentary colleagues, who continue to see, or be told by their constituents, of dangerous behaviours by some delivery riders. This includes using various forms of modified e-cycles, jumping red lights, cycling on pavements, and other contraventions of the Highway Code.

I am also aware of a number of fires caused by lithium-ion battery-powered ecycles and e-scooters, which is a wider issue affecting not just delivery riders. These can be caused by users or unqualified repairers tampering with the batteries, using incompatible batteries, using kits to convert pedal bicycles into e-cycles and electric motorbikes, or charging them with defective or incompatible cables. The Government's Product Safety and Metrology Bill 2024 will allow the Government to tighten standards around e-bikes and e-scooters in future, which will help address some of these serious safety risks.

I am therefore writing to request that you confirm what action you have taken in the last year, and what action you plan to take going forward, to ensure that you are fulfilling your legal obligations and that delivery riders who deliver on your behalf are aware of and complying with theirs.

It is critical that your delivery riders are aware of the current legal position, and of the serious risks to their own safety and that of other road users if they use inappropriate equipment or do not follow the rules of the road.

Employers' obligations under health and safety legislation in this area are summarised at https://www.hse.gov.uk/roadsafety/index.htm.

The only forms of e-cycles that can be legally used on the road are those which comply in full with the Electrically Assisted Pedal Cycle (EAPC) Regulations, as set out here

https://www.gov.uk/government/publications/electrically-assisted-pedal-cycles-eapcs/electrically-assisted-pedal-cycles-eapcs-in-great-britain-information-sheet.

Vehicles that do not meet these requirements are treated as a motor vehicle within the meaning of the Road Traffic Act 1988. As a result, they are subject to relevant requirements for approval, registration, compulsory insurance, vehicle excise duty, and annual roadworthiness testing. In addition, riders of such vehicles will require an appropriate driving licence and will need to comply with the relevant helmet wearing requirements.

The previous Government consulted on some possible amendments to the EAPC Regulations, notably on power limits and throttle control. The Department intends to publish a response to this consultation and a suggested way forward shortly.

If any of your riders are using e-scooters, please ensure that they are aware that privately owned e-scooters remain illegal to use on public roads and pavements. The only e-scooters that are legal for road use are those which form part of the official rental trials underway in some of our towns and cities, or where a user has complied with legal requirements for motor vehicles, such as holding motor vehicle insurance; obtaining type approval; and registering the vehicle with the DVLA.

The Department has published advice relating to the safe charging of e-cycle batteries, which sets out that e-cycles and batteries should not be tampered with and should under no circumstances be charged up if they are damaged in any way. Only suitable charging cables should be used. Further information is available here https://www.gov.uk/government/publications/battery-safety-for-e-cycle-users

The Office for Product Safety & Standards (OPSS) has also published safety guidance on the use of e-cycle and e-scooter batteries as part of the Buy Safe, Be Safe campaign https://www.gov.uk/guidance/buy-safe-be-safe-avoid-e-bike-and-e-scooter-fires

OPSS has previously banned unsafe and non-compliant e-cycles, e-scooters, batteries and chargers from the UK market: https://www.gov.uk/product-safety-alerts-reports-recalls. If affected, delivery riders can find out what they should do here: https://www.gov.uk/product-safety-alerts-reports-

<u>recalls/product-safety-report-upp-battery-e-bike-battery-packs-sold-via-amazon-alibaba-ebay-and-made-in-china-2401-0083</u>

Finally, it is essential that your delivery riders follow the Highway Code. Training on safe cycling is widely available, and you may wish to encourage your delivery riders to undertake this. Organisations like the Bikeability Trust can advise on bespoke training packages that can be offered to your riders, and Transport for London has also developed an online cycle training package.

I would be grateful for a response by the end of this month.

Yours sincerely,

SIMON LIGHTWOOD MP

MINISTER FOR LOCAL TRANSPORT